

HUDSON, NH BOARD OF SELECTMEN
Minutes of the June 24, 2008 Meeting

1. **CALL TO ORDER** at 7:00 p.m. in the Selectmen's Meeting Room at Hudson Town Hall.
2. **PLEDGE OF ALLEGIANCE**, led by Police Lt. William Avery.

3. **ATTENDANCE**

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

Staff/Others: Priscilla Boisvert, Executive Assistant; Shawn Murray, Fire Chief; Dave Yates, Recreation Director; Kathy Carpentier, Finance Director; Gary Webster, Acting Town Engineer; Richard Gendron, Chief of Police; Police Lt. Bill Avery; Linda Kipnes; Mike Skinner, Atlantic Energy Solutions; Greg Rhea, PSNH; Nominations and Appointments applicants; Pastor David Howe; Joe, TEL; Gina, HLN; Jean Mackin, WMUR-TV

4. **PUBLIC INPUT**

5. **NOMINATIONS & APPOINTMENTS**

A. **Cable Committee** (2 members, terms to expire 12/31/09 and 12/31/10)

Stewart Kroner said he's a 14-year Hudson resident and works at the Mitre Corp. as a network and communications engineer, which means he works with a lot of video and network components. He believes he would be an asset to the committee.

Selectman Jasper thanked him for applying. They don't get nearly enough applicants, so they should take the time to thank people when they do apply.

Motion by Selectman Massey, seconded by Selectman Jasper, to appoint Stewart Kroner to the Cable Committee, term to expire 12/31/10, carried 5-0.

B. **The Green Team** (1 member, term to expire 12/31/08)

Robert Frohman said he was a software developer and he'll be moving into the Master's program in engineering management. He is concerned about the environment and energy programs to see what they can do to conserve and improve visibility in town. He's looking forward to getting in and helping out.

Selectman Coutu said one of Mr. Frohman's references was a member of the Energy Committee and asked if he has attended any of the committee meetings. Mr. Frohman said no, he has not but he has an idea of what the committee does. His relationship with the member is ancillary; he was a den leader for his son. Selectman Coutu echoed the remarks made by Selectman Jasper with the previous candidate in expressing sincere appreciation for applying for a position. They're always looking for volunteers and they appreciate the time and effort applicants are willing to put in to serve.

Motion by Selectman Jasper, seconded by Selectman Coutu, to appoint Robert Frohman to the Green Team, with a term to expire 12/31/08, carried 5-0.

C. **Nashua Regional Planning Commission** (1 alternate, term to expire 12/31/11) No applicants.

D. **Planning Board** (1 alternate, term to expire 12/31/10)

Donna Shuman was interviewed at the Board's last meeting and there was a question as to which board she'd rather serve on, the ZBA or the Planning Board. It was suggested that she attend one or both.

Motion by Selectman Coutu, seconded by Selectman Massey, to defer this until July 8, 2008, carried 5-0.

E. **Recreation Committee** (1 member, term to expire 12/31/10)

Keith Bowen, 24 Cottonwood Drive, said he was Assistant Principal at Hudson Memorial Middle School. He was involved previously with the Recreation Committee. About five years ago, he regrettably had to step down because he moved to Nashua. Now that he is residing back in Hudson, he wanted to get involved in the Recreation Committee in an arena in which he is well trained, which is working with kids.

Selectman Jasper said Keith is leaving things out of his resume; he was actually the part-time Recreation Director, prior to the town having a full-time director, so he has more than a little experience in the town's recreation program.

Karen Weinberg said she was a new resident, moving to Hudson from North Andover a couple of months ago, where she lived for seven years and was on the Board of Directors there for their youth center. She is a supervisor at the Division of Children, Youth and Families for the state out of Salem, where she supervises social workers who work with families and children in need. She also works part-time for the Juvenile Court out of Massachusetts, where she is a Guardian ad Litem and is appointed by the

judges to advocate for children. She would love to be part of the community's rec center where she can use her education, experience and skills that she has gained throughout the years to provide services to the elderly, youth and families of Hudson.

Selectman Coutu said he appreciated the fact she applied. Considering her work at DCYF and her part-time position, he asked if she felt she had the time to serve on this committee, and if she had children. Ms. Weinberg said she absolutely had the time. She has three boys, two in high school and her 10-year old is in the rec program.

Selectman Massey said, for the record, he deals with Nashua DCYF on a regular basis, but he didn't think that would cause a conflict of interest. He said there were two applicants, but only one position and asked if she'd consider another board, if the other applicant was chosen for the Recreation Committee. She said she would. Selectman Coutu commended her for that attitude.

Selectman Jasper said they either have feast or famine. They have two good candidates here and he thanked both.

Motion by Selectman Jasper, seconded by Selectman Maddox, to nominate Keith Bowen to the position, term to expire 12/31/10.

Selectman Coutu said this was a very difficult decision to make. He appreciated Mr. Bowen's experience and his knowledge of the town and he'll vote to support the motion but, at the same time, he wanted Ms. Weinberg to know that he echoed the remarks that both candidates bring an awful lot to the table and it's very difficult for him to make this decision. He encouraged her to become involved in the community, which is not to say that in the future another position will open up on the Recreation Committee. If that happened, the Board would really like to have her on board in the community.

Vote: Motion carried 5-0.

F. Recycling Committee (1 member, term to expire 12/31/09)

Stewart Kroner withdrew his name from consideration.

Mary Catherine Albenzi was unable to be present, due to school finals. She said she could be present next week. She attended the Recycling Committee meeting last month and stated she was interested in joining the committee. Selectman Coutu said since the Chairman has met Ms. Albenzi and had conversations with her, asked him to give the Board an overview of how he felt about her serving on this committee.

Chairman Nadeau said Ms. Albenzi was very anxious to serve on this committee. She works in graphic design and she was willing to work with the committee, even if she was not on it, to come up with a new design for their coloring contest for Old Home Days. She is willing to help out in any way she can—passing out information at dump days, etc. She would be an asset to the committee. Her reference was Connie Owen, a member of the Recycling Committee.

Selectman Coutu said on the basis of Selectman Nadeau's contact with the candidate and the fact that she really wants to be a member of the committee, but is unable to make Tuesday meetings to meet the Board, he moved to appoint her to the committee, without objection from the rest of the Board. Selectman Jasper said he did object. He felt it was important for the Board to be able to put a face with the name when making appointments to the committee. He didn't have any problems with her qualifications, but he would like to meet her. He didn't think it was a good policy to appoint people without meeting them. Selectman Maddox said Selectman Jasper did at the last meeting; one of the applicants for the fire study committee didn't come in. Selectman Jasper said he had a point, but he would like to meet Ms. Albenzi. There being no second, the motion failed.

G. Sewer Utility Committee (1 member, term to expire 12/31/10; must be a sewer user)

H. Water Utility Committee (1 member, term to expire 12/31/10; must be a water user)

David Shaw said he has been a resident for 13 years, along with his wife and three children. He is an electrical engineer at Parker Hannaford in town. He holds a BS in mathematics from UMass and just completed a short term assignment with the Capital Improvements Committee and he's looking to continue his volunteer service with the town.

Selectman Massey said the committee meets on the third Wednesdays at 5:30 and asked if that time was OK with Mr. Shaw. He said it was. Selectman Massey asked if Mr. Shaw has attended any of the meetings. Mr. Shaw said he has not. Selectman Maddox said Mr. Shaw was the citizen member to the CIP and he attended every meeting, unlike many of the department heads that didn't show up. He asked very good questions and having survived CIP, he was ready for the next committee. Selectman Massey asked if Mr. Shaw was a water user. Mr. Shaw said yes, he was.

Motion by Selectman Maddox, seconded by Selectman Massey, to appoint Mr. Shawn to the Water Utility Committee, term to expire 12/31/10, carried 5-0.

I. Zoning Board of Adjustment (2 alternates, terms to expire 12/31/08 and 12/31/10)

Donna Shuman

Chairman Nadeau said the Town Clerk would be in touch with those who were appointed to arrange a time to swear them in.

6. **CONSENT ITEMS**

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

A. **Assessing Items**

- 1) 2007 Abatements, Map 157/Lot 66-80; Map 147/Lot 17-9; Map 124/Lot 65, w/recommendation to deny.
- 2) 2007 Abatements, Map 152/Lot 64; Map 152/Lot 41; Map 197/Lot 98; Map 203/Lot 45; Map 142/Lot 7-10, w/recommendation to approve.

B. **Licenses & Permits**

- 1) Outdoor Gathering Permit for Old Home Days, August 7-10, 2008 at Hills House on Rte. 102
- 2) Outdoor Gathering Permit for Harvest Fest, October 11, 2008 at Hills House on Rte. 102

C. **Acceptance of Minutes**

Selectmen’s Meeting Minutes of June 10, 2008

D. **Calendar**

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| 06/25 7:00 Planning Board in CD Mtg. Rm. | 07/14 7:00 Conservation Cmsn CD Mtg. Rm. |
| 06/26 7:30 ZBA in CD Mtg. Rm. | 07/15 7:00 Cable Committee in BOS Mtg. Rm. |
| 07/01 7:00 Selectmen’s Wkshp BOS Mtg. Rm. | 07/16 5:00 Water Utility in BOS Mtg. Rm. |
| 07/02 7:00 Planning Board Wkshp CD Mtg. Rm. | 07/16 7:00 Library Trustees in BOS Mtg. Rm. |
| 07/03 6:30 Recreation Committee @ Oakwood | 07/16 7:00 Hudson Seniors in CD Mtg. Rm. |
| 07/04 4 th of July Holiday—Town Hall closed | 07/17 7:30 Budget Cmt (mtg may not be held) |
| 07/07 6:30 School Board in BOS Mtg. Rm. | 07/21 6:30 School Board in BOS Mtg. Rm. |
| 07/08 7:00 Board of Selectmen BOS Mtg. Rm. | 07/22 7:00 Selectmen in BOS Mtg. Rm. |
| 07/09 7:00 Planning Board in CD Mtg. Rm. | 07/23 7:00 Planning Board in CD Mtg. Rm. |
| 07/10 5:30 Sewer Utility in BOS Mtg. Rm. | 07/24 7:30 ZBA in CD Mtg. Rm. |
| 07/10 7:30 ZBA in CD Mtg. Rm. | 07/28 7:00 Green Team in CD Mtg. Rm. |
| 07/12 IAFF MDA Boot Drive | 07/28 7:00 Recycling Committee BOS Mtg. Rm. |

7. **OLD BUSINESS**

A. **Votes taken after Nonpublic Session on June 10, 2008**

Motion by Selectman Jasper, seconded by Selectman Maddox, to hire Alan St. Louis for the position of Dispatcher within the Fire Department, effective June 22, 2008, at \$13.95 per hour and then to Step 1 at the completion of probation in accordance with the IAFF #3154 Firefighters contract as recommended by the Fire Chief, carried 4-1. Selectman Coutu voted in opposition.

Motion by Selectman Massey, seconded by Selectman Maddox, to adjourn at 10:42 p.m., carried 5-0.

B. **Sewer Abatement Requests** (deferred from May 13, 2008)

S-UTL-08-14, -15, -16, -17 and -18.

Chairman Nadeau said the Sewer Utility Committee is working on revising the policy, so this will come back to the Board at a later date. Selectman Coutu said apparently the confusion that remained with regard to these abatements was at what point do they charge a fee. Apparently, though it’s not spelled out, but will soon be, the intent has always been if a foundation is there, that’s when the fee begins—and he didn’t think any of these have a foundation. The problem they are going to have, and they may have to address it in the future, is determining when those foundations are in and who’s going to go out there and check that to see when they can start collecting. They may have to address that with Community Development, but that’s where it stands now. The foundation will be the trigger to establish the fee, which wasn’t clear before.

Selectman Massey said unless something is different for residential than for commercial, it was his understanding that you have to apply for two permits. One is a foundation permit and then a building permit. He asked Selectman Maddox if it was different for residential. Selectman Maddox said no. Selectman Massey said then they would know that the building permit, at the very minimum, the final trigger. Selectman Jasper said once they apply for the foundation permit, it has to have an inspection to have backfilled. That would be the trigger. There are foundations in town that have been around his whole life that have never had anything put on them. They just have to have the internal communications. They have to figure out how to get the word out from Point A to Point B.

Motion by Selectman Jasper, seconded by Selectman Coutu, to defer to July 22, 2008 carried 5-0.

C. **Benson’s Revised Quit Claim Deed** (Deferred from June 10, 2008)

Chairman Nadeau said Attorney Hodes is still working on this and expects to have something for the Board’s July 8th meeting. Selectman Maddox said at the NRPC meeting the other night, the DOT Representative was Nancy Mayville. After the meeting, he spoke to her in regards to Benson’s and they seem to have a different vision than the town does. Maybe when the Quit Claim Deed is completed, they should be invited to this meeting so that all five of them can hear from one voice what they are saying and ask questions on television. They were getting into it wouldn’t be a big deal to do the barn. She kept saying there was this handout, but they saw it and it didn’t add up to \$25,000 and they are talking about \$1/2 million. Either the state is thinking

something completely different than the town, or someone isn't getting something. After this Quit Claim Deed is resolved, they should invite them to a meeting to get some clarification that he's not seeing. After talking with Ms. Mayville... she kept on referencing the Benson's Master Plan like that was the be all and end all and he didn't think that was ever the Board's intent. They need to resolve that sooner rather than later. Once this is done, he asked that they invite the DOT, the representative from the Governor's Office and whoever else to come down so they can all hear it at a meeting, rather than bits and pieces.

Selectman Jasper said he agreed with that. It's also important they have the information they've contracted out on the barn as part of that because that will feed well into that.

8. **NEW BUSINESS**

A. **Hudson Green Team re. PSNH Audit of Town Buildings**

Linda Kipnes, Chairman of the Green Team, was recognized and she introduced Mike Skinner of Atlantic Energy Solutions, who did the audit, and Greg Rhea of PSNH. Ms. Kipnes said Mr. Skinner did an audit of all of the town buildings, looking at lighting and switches. This is an itemized report, light by light in each building and she hoped that the Selectmen had a chance to look at it. This was a proposal for what could be changed to make the lighting both standard and more energy proficient. This is proposing the latest technology that's more energy efficient than what is currently in place that would make standard all the fixtures and lights in all the buildings in town. There are warranties on all of the work and the equipment that they would be installing. PSNH offers a 50% rebate on the cost of the items, the work and the equipment installed. It will save money in energy costs, month by month, and there is a way to pay for it in which there are no up front costs. Everyone had gotten the pages of the job summary costs for each building. The electric rebate is 50%, so the cost to the town is 50% of the cost of each building. The information provided explains the annual savings. The town can continue to pay the same electric costs that it's been paying every month until the cost of the work is paid off for each building. The work would be done as soon as it could be scheduled, but the cost would never be higher. The town would continue to pay what they have been paying and the difference would go towards paying off the cost of the work. When it was paid, then they'd start seeing the cost savings. The Green Team is very enthusiastically in favor of this. It's a wonderful deal and PSNH is very anxious to get people on to this new technology that uses less energy and they are hoping the Board will support this and sign the agreements.

Selectman Maddox asked the contractor what the deliverables were. Is it broken down what they are actually going to receive? Mr. Skinner said in the large document, there are line by lines for each group of fixtures in each location in each building and that's how they break it down. In the Selectmen's Meeting Room, the total number of fixtures is called out, fixture type and size with the number of ballasts and lamps within each fixture, so it's broken down on a fixture by fixture basis. The first thing they typically do is change the lamps and ballasts in the fixture. If the fixture is in good condition and functioning properly, they leave that as is because there's no reason to change that; they change just the essential components with the lighting system within it, which are the lamps and ballasts. They will bring that up to the latest technology. If the fixtures are in bad shape for any number of reasons, they spec those out to be retrofitted and changed out. They also spec out complete changeover of fixtures where there is new technology that will benefit the light output of the fixtures and in terms of energy savings they can garner from just upgrading that type of fixture. Selectman Maddox asked how he would know that had been done if that fixture was scheduled to be removed but because it was in good shape, it wasn't. He asked how that was broken down as far as what they are paying for.

Mr. Skinner said it's in the paperwork on a line by line basis. Each meeting room is spelled out. He walked every room of every building and called out each fixture in each area. If he says there are 13 fixtures that need to be done, people can open up the cover and see that it's the old T-12 lamp, or if it has the FO-30 watt new lamp and ballast inside. That's how they will know it has been retrofitted. There will also be a lot more light coming out of it than what they have now and that's usually the most obvious way to tell. There is a WOW factor because there is so much more light output. Selectman Maddox said in this room, money was spent to buy these lights because the Cable Utility said this is the lighting needed to make everyone look so good. He asked how that would fit into this scheme. Mr. Skinner said they are going to put in the same color. These are 5,000 Kelvin lamps and they will put the same thing back, only they are going to be more energy efficient.

Selectman Jasper said it seems to be a no-brainer. He was wondering how they were going to pay for this because nothing was budgeted, but they answered that question. The school district has had tremendous luck with this program. This isn't a shot in the dark. He's set to go.

Selectman Massey thanked Linda Kipnes and the Green Team. This is one of the first visible outcomes of the committee. When she started, he knew this was something she wanted to get involved in, but he had a couple of technical questions. Using the baseline of \$1,000 that the town is paying PSNH a month for electricity. How would they know, going forward, whether... and next month it's \$1,100... how would they know that what PSNH is going to be taking off is the difference? He didn't understand how the town would know, on an accounting basis, that the town is paying back on an as-you-go basis the \$37,000? Mr. Rhea wasn't sure what the question was, if it was how the financing mechanism works or if was how the town would know that they are going to be saving electricity that PSNH anticipates. Selectman Massey said both of those questions. Mr. Rhea said in response to the second question, there is very little mystery, as long as the hours of use are consistent with what was reported because it's Delta watts. This fixture is drawing X amount of watts. What Atlantic Energy is going to put in is something less than that. Delta times the hours gives you kilowatt hours, so there's really no mystery, as long as the hours are consistent. As for the financing, the town is paying for the project through the savings, (he indicated the brochure, which explains it), since the savings are pretty reliable. If the project costs \$1,000 and PSNH estimates it's going to be \$300 in savings, the town has two options. They can take 75% of the anticipated savings and pay that off for a longer period of time, or they can take 100% of the

savings and pay for it in a shorter period of time. The bottom of the second page explains both options. The first option, 75% of the savings and keeping 25%, you get an immediate positive cash flow. If they choose the second option, the repayment months are less, but the cash flow is virtually neutral. This program is available only for municipalities and it's designed to encourage municipalities to participate in the program.

Selectman Massey said residential users see a 13 month running average of kilowatt usage and he wondered if the town would see that for the entire town, or if that was going to be broken down by each of the facilities. Mr. Rhea said it would be broken down by each of the facilities because each of the facilities has its unique account number, so it gets a unique bill. Selectman Massey said then the town would be able to track the usages consistent from previous months. Mr. Rhea said yes. The only variable is if the hours of use for the facility change because there is no mystery with the difference of existing to proposed. Selectman Massey said he had two additional questions. There is a difference between the numbers on the large spreadsheet and the summary spreadsheet they were looking at of about \$5,000. Mr. Rhea said to use PSNH's smart start financing, you sacrifice 10% of the rebate. If the town paid for it outright, that would be the rebate.

Selectman Coutu said several years ago, he owned a market in Dracut, MA and this exact same service was offered to them, with the same formula. He, too, was concerned how he was going to see whether or not he would realize any savings as a result of the changeover of all of their fixtures and the market was set up basically the same way the Selectmen's meeting room was, with suspended lights inserted into the ceiling. They were able to actually see savings in about two and a half years; they could actually see the number decrease significantly by almost 50%. When you have a lot of compressors going on the floor, as well as walk-in coolers, the electric bill in a small market was \$1,400 a month consistently for six or seven years and within a couple of years seeing it drop down to \$700 is a significant savings. He thinks this is the right approach. In the short term, it's not going to cost any more because it's based on what was just presented. The town will continue paying what it already does, which is what is budgeted, with the savings being applied towards repayment of the changeover. Based on the total estimate, in approximately 1.7 years, the town could have this paid off and then they will see much smaller utility bills and, at the same time, have become a green community. He said he assumed the nod was an affirmation. Mr. Rhea said the only caveat was if existing electric rates remain the same, the kilowatt hour consumption will be reduced, but there is the potential for electric rates to increase.

Selectman Maddox said some of these were point four years and some were four point three years. He asked if they were going to be paying for this at the Community Center for four point three years, but four months in another. Selectman Jasper said they get an electric bill of X amount and are going to be paying it off in two point seven years. They've broken it down by building. Mr. Rhea said it was broken down by building; he has would it would take each individual building to be paid off, but not an aggregate. Selectman Maddox asked if they were saying they were going to aggregate all of the bills and take that off. Again, he's just trying to clarify, so some of them could take four years to pay off. Mr. Rhea said yes. Selectman Maddox asked how the town would know that it was paid off because electric rates are going to go up in the next four and a half years. How will they know when the Community Center would be paid off? Mr. Rhea said it would be paid off, based on the terms presented, which remain static, regardless of what happens to electric rates. If they choose Option 1, for the Community Center, they will pay \$54.72 for 59 months. That's the agreement; a fixed price.

Selectman Massey said as with everything, the devil is in the details. He will support this because energy saving fixtures have proven over time in other communities to have saved. The accounting on this will be interesting, if not puzzling. Selectman Jasper said he was puzzled by that statement because the accounting is very simple. They've done calculations; they know what the bill is going to be, so each building has a monthly repayment and then the electric usage is going to be based on the kilowatt hours, so there will be two separate things that will be easily distinguishable. They're not going to get a bill and not know what is going for what. Mr. Rhea said by building. Selectman Jasper said they would see each month the kilowatt usage and the repayment, so there isn't any mystery. It's not in other communities. It's right here in Hudson because the school district did this with tremendous success, so they don't have to look beyond their own borders to know this is a program that works. Selectman Massey said he wanted to be clear on what he heard. If they were to take Option 2, the town would see a bill of some number of dollars for the Highway Garage and there would be a credit on that bill of \$287.18. He asked if that was correct. Mr. Rhea said no, not a credit. That's what the payment will be for the retrofit project. Selectman Massey said they'd see that the bill was \$1,000 and \$287 of that was being... was there going to be a line item of the bill that says \$700 is the electric bill; \$300 is the smart financing portion of the bill for a total net due at PSNH of \$1,000? Mr. Rhea said yes. Selectman Massey said that way, they would be able to track on a monthly basis. He assumed what they were really talking about was Option 2, which is no money up front, and if that's the case, it's \$43,000 which is more than an average of 2.7 years payback, but there's no money out of their pockets up front. Selectman Jasper said Option 2 was the recommendation of the Green Team and his intent of the motion. Selectman Maddox asked if the price of \$37,000 was only if they paid up front. Mr. Rhea said that was correct. (Talking over each other.)

Selectman Coutu asked what the projected time to start the project and the estimated amount of time it will take to retrofit all of the buildings. Mr. Skinner said they have to order some of the material. They can probably start in a couple of weeks, scheduling the electrician to come in. They set the jobs up, have the product delivered on site, pick one central location that's safe and out of the way, a staging area for the electrician to work from in each location. They will drop off recycling materials. There will be 55 gallon drums which will be inside or outside, as long as they are easily accessible because they weight about 1,000 lbs. when they are full. The ballasts out of the fixtures are going to go into those drums and they get sealed up. They will have recycling boxes for all of the lamps, 4' to 8' U2 type lamps. A recycling company comes up and picks up those lamps and ballasts and takes them away and they get a bill of lading they can give back to the town that says where they went and what happened to them. They can start within a couple of weeks. The main concern would be to get all the stock for the buildings, or at least the first handful of buildings to start the project. If some of them have longer lead times for certain types of fixtures, they place those orders and they

might come in when they are a few weeks down the road. For the 12 buildings, it would be on the order of about a three week build-out, if all the material is on site. The electrician's work starts at 7:00-7:30 until about 3:30 – 4:00, depending on what's going on with that particular building. They are flexible. If there are meetings going on, they will work in another part of the facility where offices are empty or vacated. They are very cooperative in terms of working with the people in the buildings.

Selectman Jasper said some people may say they are paying more doing it this way, but they really are not. If they were to pay up front, they'd have to wait another year to budget this and they'd lose the \$16,000 in savings. By financing it and paying a little more, they are actually saving over \$10,000. Chairman Nadeau thanked the Green Team for their hard work in helping out with the audits, and for town staff that also helped out when the people came through. Mrs. Kipnes said she, too, wanted to thank town staff, who has been wonderfully cooperative and very helpful when this audit was going on.

Motion by Selectman Jasper, seconded by Selectman Coutu, to accept the PSNH Audit of Town Buildings report and sign the Option 2 agreements for each building, as recommended by the Town Administrator, carried 5-0.

B. Public Hearing on receipt of a \$5,000 Donation from Wal-Mart to the Fire Department

Fire Chief Shawn Murray said Wal-Mart was granting the Fire Department \$5,000 for the purchase of portable radios for the call department. Over the past couple of years, the department has participated in the Wal-Mart community grant program and, once again this year, the Chief was asking the Board's support of that program.

Chairman Nadeau opened the public hearing at 7:50 p.m. and asked if anyone wished to speak on it. There being no response, he closed the hearing.

Selectman Massey asked if the Fire Department was going to incur any cost over the \$5,000 to secure these radios. Chief Murray said no. They would get the number of radios they can pay for with the grant money. Selectman Jasper said the memo indicated they'd be securing approximately 12. Chief Murray said they were going to try to do that. Selectman Jasper asked if those radios would go to the most active members of the call department. Chief Murray said that was correct.

Motion by Selectman Coutu, seconded by Selectman Jasper, to authorize the Hudson Fire Department to accept a grant from Wal-Mart in the amount of \$5,000 for the purpose of purchasing portable radios for the call department, as recommended by the Fire Chief, carried 4-1. Selectman Maddox voted in opposition.

C. Request by Recreation Department to apply for a Grant

Recreation Director Dave Yates said he'd like to apply for a grant from the Hillsborough Incentive Funds in the amount of \$24,000 to upgrade the Greeley basketball courts, which were put in in 1970. Grass is coming through the cracks. They've banded them a couple of times. About 10 years ago, they over-coated them. It would be about \$17,300 to do the courts and to put new hoops in would be another \$12,000 and to line the courts would be \$3,000 so the total project would be approximately \$32,000. The town would have to match 25% of that. He talked to Kevin Burns of the Highway Department and he is willing to do the hoops. They've have to contract out the paving, but his guys would rip out the current hoops, put in new ones, assemble them, do whatever landscaping that needs to be done and they can use that as part of the in-kind labor to match the grant. It might cost some money out of the budget, but he didn't foresee it being a lot after they use the in-kind labor. The grant is due Thursday.

Selectman Coutu said many grants come with strings attached. Mr. Yates said the town has received this grant four or five different times. The skate park twice, Greeley Park once. Last year, they used this grant money for Sousa Field irrigation system. Other than the 25% match, they have to do a quarterly report to let Hillsborough County know what the spending is. Selectman Coutu said the taxpayers need to know that, that there are no strings attached to this grant. Based on the figures Mr. Yates provided, Selectman Coutu asked him how much he anticipated would have to come out of his budget. Mr. Yates said maybe up to \$5,000 but no more than that. They don't know how many hours the Highway guys are going to put in and equipment will be used down there. Selectman Coutu asked if the \$5,000 would be used to procure hardware, such as the hoops, posts, etc. Mr. Yates said that was correct, and possibly the lining of the courts. Selectman Coutu said Selectman Jasper has said many times, and he's sure they all agreed, they are going to have to hold the line next year. This is obviously not coming out of this fiscal year's budget that's ending in about a week or so. He asked Mr. Yates where the \$5,000 would be coming from in his budget. Mr. Yates said they have a park maintenance budget for about \$8,000-\$9,000. Selectman Coutu said on the basis of that, asked if Mr. Yates foresaw the need for other park improvements for the coming fiscal year. Mr. Yates said they always have maintenance costs, but he thinks they can swing it. If not, they have a donation budget they could also go to, if needed.

Chairman Nadeau asked if the money for this could be taken out of the Planning Board's recreation account, as money that could be used for the match, if he couldn't find the \$5,000. Selectman Maddox said that's what he was going to suggest, that there are monies the Planning Board collects from developers for recreation, that if he got this grant, go to the Planning Board to make up the balance and he didn't think there would be an issue.

Selectman Massey said the devil is in the details. If he were Hillsborough County asking to give this money, his first question would be show me the total estimated cost for this project and I'll give you 75% of that. All they've heard tonight is maybes, perhaps, up to, etc., etc., so he's disinclined to support this, at this point, because he didn't know that they could be guaranteed, in this case, \$24,000 from Hillsborough. Mr. Yates said he did present facts, including the \$17,300 quote from Hudson Paving. He has estimates on basketball hoops of \$3,000 apiece, which was the \$12,000 and he contacted Vermont Tennis Striping for the lines, which is the \$3,000. That's the \$32,000. They don't know how much Hillsborough County is going to give them, but the numbers he provided are firm numbers of what the project would cost. It is not a perhaps; those are the actual quotes.

Selectman Massey said then he is confused. If Mr. Yates has quotes from three vendors for \$32,000, where does the Highway Department and the maintenance budget come into play? Mr. Yates said the Highway Department will install and put together the hoops when they come. The quotes were to purchase the hoops, to do the paving and to put the lines on the court. Selectman Massey said so the cost is more than \$32,000. Mr. Yates said that was the total cost and the town would have to provide 25% of it. Selectman Massey said no, no. He wanted to be clear and asked what \$17,300 was for. Mr. Yates said for the paving of the court. Selectman Massey asked if that was an estimate he got from at least one vendor. Mr. Yates said yes, but if it was approved, they'd go out to bid because it's over \$10,000. Selectman Massey said he didn't for between \$10,000 and \$25,000 but it would be nice to do that. He asked what \$12,000 was a quote for. Mr. Yates said to purchase the basketball systems. Selectman Massey asked what the \$3,000 was for. Mr. Yates said to stripe the courts. Selectman Massey said after he spends all of that money, he hasn't done anything but redone the paving and purchased the hoops. The work to do the site prep and the money Mr. Yates was talking about taking out of his maintenance budget... Mr. Yates said the paving includes tearing out the old court, putting down new gravel and putting two coats of pavement down. That's all included in the \$17,300. The Highway Department would pull out all the basketball hoops ahead of time, before the paving is done and they'll put the hoops in prior to the paving being done. Selectman Massey said his final comment was that he could not support this because he could not see that there's a firm project estimate on this.

Selectman Coutu said he understood what Selectman Massey was talking about and would try to get Mr. Yates to see it, too. The project will cost \$32,000 cash--\$17,300 for the paving, \$12,000 for the basketball program and \$3,000 to paint the lines. Hillsborough is going to give \$24,000 and the town will put in \$8,000 but the town is also going to put in, besides the \$8,000, the contribution from the Highway Department and all of that manpower, which is over and above the \$32,000 which could conceivably bring this project to \$40,000. That's the point Selectman Massey is trying to get across, and what he, too, is beginning to see. This is just the hardware costs, the tangible items. They still have all of the labor of the Highway Department, and that's worth money. The town is paying them a salary to go out there and do the work, so the actual cost of the project is in excess of \$32,000. He asked Selectman Massey if that's what he was saying. Selectman Massey thought so, but Mr. Yates seemed to have a different opinion. Mr. Yates said he understood what they were saying, but didn't agree. Selectman Coutu asked who was paying for the Highway Department's labor. Mr. Yates said the town is, indirectly. Selectman Coutu said it's a contribution and part of the total cost of the project.

Selectman Jasper said he was having a hard time understanding why he didn't understand because there are firm costs that add up to \$32,000. If he said I got the cost to rip out the pavement, but the Highway Department is actually going to rip out the pavement, that reduces the cash cost. Mr. Yates gave them \$32,000 of things that the Highway Department isn't going to do, so it easily adds up to \$35,000. He disagreed with Selectman Massey because, in fact, the \$24,000 is a minimum of 25%. They will apply for \$24,000 but they may end up with 65% or 70%, but it's not going to work the other way. They're not going to end up with only \$20,000 because the cost is actually more than \$32,000. He didn't know why the Highway Department couldn't rip out the old pavement and save money off that, which would be a cost they could save. Mr. Yates said depending on what they get from the county, maybe that would happen. If the county only gives them \$16,000 he'd go to the Planning Board for the funds they collected for recreation purposes. They've already used funds from that account several times. He applies for this grant every year. When he doesn't, everyone asks him why he didn't. This is a request to get some money from the county, and now he's getting resistance. Selectman Jasper said it's because his math is fuzzy. There are hard costs of \$32,000, but Mr. Yates was saying they don't necessarily have to spend the \$8,000 in cash, and he's not giving the Board anything that shows that he's going to be able to reduce because the \$12,000 is the physical cost of buying the hoops and poles. The \$3,000 is a physical cost. The \$17,000 is the paving. There's nothing in there that's going to be able to be replaced by Highway unless they can come in and do the prep work. That's something they could do; they could come in and rip out the old pavement and put down the new crush. That would reduce the paving cost. That's the only way he can see to reduce the cash contribution is on that end. Other than that, it's just adding to.

Selectman Maddox said he was torn. He agreed with Mr. Yates in that they wanted him to go out and apply for grants. First off, they need to see if they are going to get it, then they will fight over what team they are going to play on. They may be arguing for nothing. Mr. Yates came in less prepared than he should have been. When he adds the numbers, it's \$32,300 and there is no in-kind. See if they get it first and then Mr. Yates can come back with a much better presentation. Mr. Yates said they'd know the final numbers at that point, including the amount they'd be receiving. Selectman Maddox said if they get the grant, then can deal with it. If not, they can move on.

Selectman Massey said he wanted to be clear on a couple of things because it may not have been in his original comment. The town's purchasing policy says that for any expenditure between \$10,000 and \$25,000 all that's required is three quotes. It doesn't require going out to formal bid. It just occurred to him they are just applying for a grant. Mr. Yates still has to come back if the county says yes, so he sees no harm in applying for a grant. The devil will be when he comes back for grant approval.

Motion by Selectman Jasper, seconded by Selectman Coutu, to authorize the Recreation Committee to apply for the Hillsborough County Incentive Fund Grant in the amount of \$24,000 for Greeley Park basketball court, carried 5-0.

D. Conservation Commission—Watershed Study Intern

Michelle Champion said the Conservation Commission put together a proposal, and put into their budget for this coming fiscal year, money to do a watershed assessment study and they had requested that funding and it got approved in the budget to fund it through UNH Community Environmental Outreach Program which was run by UNH Cooperative Extension where they get a few students who are environmentally-minded, students that do projects within communities at a much lower cost than hiring professionals and they work under the supervision of a professor for potential credit. That seemed like a low cost way to do a

watershed study for the town. The Commission wants to start taking a watershed approach to doing their wetlands analysis, so they want to establish a baseline of data on each of the major watersheds within Hudson, including the boundaries of each watershed, the types of water resources in terms of the major streams and major wetlands within it, general topography and land use information, wildlife that could be a combination of doing some field studies, as well as just going through the state's databases to see what types of wildlife exists in the different areas. More important may be things like flood potential within that watershed, and some information for the storm water management program, where all of the storm water monitoring points are within each of the watersheds. This would be a good student project, something that's mainly a data collection. They have a map of the watersheds and want to get it updated, which they would use on the Conservation Commission, as projects come before them to look at a project in terms of its total impact on the watersheds. Rather than looking at an individual body of water on a site to be developed, they'd be looking at how it fits within the watershed, the impact of what they are doing on that watershed going to be on potential flooding off-site, the impact in terms of the wildlife corridors that move within that watershed, etc. That's the type of information they want. She put together the proposal and submitted it to UNH. Unfortunately, the response she got back was that they discontinued that program because of insurance issues—students working in communities off campus. After she put in the proposal, she got an e-mail from Curt Laffin, former Chairman of the Conservation Commission, that he knew of a UNH student in the environmental studies program, who lives in Hudson and was interested in participating in this study, if it got funded. At their last Conservation Commission she suggested that, since the UNH program was no longer available, and since they had the funding in their budget, perhaps they could hire an intern, and specifically look at this student because he would have the knowledge and skills to do it. He's still part of the University, so he could hopefully still get some advice from his professor so there would be professional oversight. Curt Laffin also said he'd be willing to work with whatever students would be assigned to this to make sure they are getting data that's useful and meaningful to the town. The Commission's liaison, Selectman Massey, suggested she bring this issue to the Board of Selectmen to see if they could hire an intern, rather than use the UNH program. It would be for either the fall or spring semester so they could do it in conjunction with their class and possibly get credit for it.

Selectman Maddox said there were two summer interns in the budget. He was trying to get an idea of price and what she was thinking on in terms of time. Michelle said they had \$2,000 set aside in their budget for this project, separate from the two summer interns, who are still coming on board. For the timeframe, she thought they were looking at fall of 2009, but the brochure that Sandra Rumbaugh gave her had spring of 2009 circled, so that may be what she had in mind. That would probably be more up to the student's schedule. Selectman Maddox asked how long this was going to take. Michelle said 15 weeks, the length of the semester. Selectman Maddox asked if that was going to be done for \$2,000. Michelle said yes. Selectman Maddox said Engineering would always send out two interns; to send one person off into the woods or wherever they are going to be going to look at the various wetland sources might make the town liable, which was of concern to him, as well as the safety of the intern.

Selectman Massey said the Town Administrator advised that if the student is hired, they are covered by the town's insurance policies. That's why he wanted Michelle to bring this to the Board because the Selectmen would have to hire this individual, on behalf of the Conservation Commission.

Motion by Selectman Jasper, seconded by Selectman Massey, to authorize the Conservation Commission to post and advertise for the hiring of an intern to complete the Watershed Assessment Project, provided the issues brought up tonight are resolved. .

Selectman Maddox said he wanted some resolution as to how they were going to do that. They can hire them, but does it have to be done after the summer? They have interns working in Engineering and maybe one day a week they could go out... he was wondering how much time was going to be needed in the field and could this be done during the summertime where they'd have other interns available. Just hiring someone... are they just going to let them out into the woods, giving them a town car? What's the procedure going to be to do this?

Selectman Massey thought this could be postponed until July so the details could be spelled out as to how this individual would work because he's not sure they could use the two summer interns that are in the Engineering Department. Michelle said most of this work would be more paperwork than field studies and the Commission could work out that if they are going to do field studies that someone from the Conservation Commission could go with them. Curt Laffin knows key areas and he may be willing to work with them, but it's a good idea for them to look to answer that question and get a decision made later.

Selectman Jasper said they weren't hiring anyone, so he didn't see any harm in moving the process forward. He agreed with the concerns, but didn't see the need to delay this for another week or another month. At the time they hire the individual, as long as they have those details, that's all that matters. Selectman Massey said that was a good point. Selectman Maddox said if that was part of the motion, he'd support it, to say those issues brought up tonight would be resolved.

Vote: Motion carried 5-0.

At 8:20, Chairman Nadeau declared a recess. The meeting resumed at 8:30 p.m.

E. Employees Earned Time Fund

Finance Director Kathy Carpentier said she was asking for reimbursement for the employees earned time trust fund in the amount of \$25,525.57. The union contracts state that twice a year, people can pay out their earned time, December and June. They had 12 payouts of earned time and one termination. The trust fund is down to about \$75,000 with an additional \$75,000 appropriated in fiscal 09 to increase it up to the 10% level.

Motion by Selectman Jasper, seconded by Selectman Maddox, to authorize the Finance Director to make any transfers from whatever accounts may be necessary, up to \$25,000 with the remainder requested from the Trustees of the Trust Funds, so that no department over-expend their budget as a result of earned time costs.

Selectman Jasper said not all departments would need the transfer. Police and Fire might; he's not sure about Highway. As they did last year in the second half, they did not take the money from the fund to try to keep the fund from draining down, knowing they would have surplus available. Last year, the accounts weren't so tight. This year, a couple of the departments might be put in the red if they didn't allow the transfers to take place. They should be building that fund up, but they are not. Thankfully, because of action that was taken a few years ago concerning contracts, they are doing the payouts to people who are still employed, so the total liability is actually falling, which is good, but the percentage still isn't great. He hoped the Board would support the motion so they can keep their fund relatively intact—although \$114,000 was taken out in the first half of the year.

Selectman Massey thought the motion should include the statement saying up to \$25,000 with the balance coming from the Trustees of the Trust Funds. It's just a safety valve; that's all. Selectman Jasper said he'd add it to his motion. Selectman Maddox said he'd agree to it, as long as staff realizes that they are trying to take as much money as they can out of the budget. Ms. Carpentier said she believed there would be enough money in the departments' budgets to cover this amount.

Selectman Coutu, as the newbie, asked for an explanation of this item. Selectman Jasper said under the contracts, instead of getting vacation time or sick time, employees can accumulate earned time, up to a certain amount based on their years of service. If they don't use that earned time, it goes into the bank for them, and they can accumulate from 75 to 90 days. After that, they have to take time off. People were banking it at, for example, the 1995 rate and then be paid at the 2020 rate. That was one of the reasons they tried to back it down. What the Board did was say if you want to take cash now instead of waiting until retirement, or taking the days off, they would pay them at 100% in 40-hour blocks earned time. It's not budgeted within the department heads' budgets to give them this cash; there's money in a trust fund. In an ideal world, they'd have 100% of the money funded, but when the Town Council started this many years ago, they didn't put much money in there and it continued to build. When the Selectmen came back into being, the huge liability already existed and they've been trying to manage that over the years. They are trying not to drain the trust fund down. They know they are going to have surplus left and they'll pay out the money from there and allow some money to stay in the earned time trust fund.

Selectman Coutu asked how earned time was accumulated. Selectman Jasper said he hates earned time; it was a terrible idea. C. David Crumpton talked the Council into it. Instead of getting six sick days a year and two or three weeks of vacation, you get earned time, earned based on how many hours you work and level of seniority. They can use it for anything they want. They don't call in sick. They plan with their supervisor when they are going to take earned time. It's a terrible way of doing business, but that's what they got locked into with the contracts and all they've been able to do is reduce the number of days, not eliminate it. Selectman Coutu asked if the third name down was still employed. Ms. Carpentier said yes. Chairman Nadeau said only one person on the list was no longer employed. She said there are three ways of getting money out. With termination, you get 100%; if you hit the max number of days in your contract, she will automatically give you the difference above the max date; or you can request the buyout in 40-hour increments in December and June.

Selectman Massey asked for an explanation of why they have more than 40 hours of payout because if they reach the maximum of 90 hours, the maximum you can accumulate with maximum seniority would be 45 days. If you were an employee with the maximum seniority, earning the maximum per day earned time, he didn't think it would exceed 45 days a year. He wanted to understand the math. They are talking about approximately every year he can earn at the top level about 45 days of earned time. Ms. Carpentier said it depends on the contract. Selectman Massey said at the end of two years, if he took to time, he'd have 90 days. She said that was correct. Selectman Massey said the buyout occurs the next year because he'd have exceeded the 90 days. He didn't understand how he could ever have more than 45 days of buyout. Ms. Carpentier said because people who were hired 10 – 25 years ago have already accumulated time; the cap was just reestablished in the last few years. Selectman Massey asked if those wouldn't be classified as max payout. Ms. Carpentier said no. Selectman Massey asked if the individual with 200 hours has dropped below the 90 days. Selectman Jasper said 200 hours is nowhere near 90 days. Ms. Carpentier said they can leave as much or as little in their earned time bank as they want. That could be his whole buyout; that's his choice. There is no minimum, only a maximum.

Selectman Coutu asked if there was a way out of this. Selectman Jasper said with contract negotiations. Ms. Carpentier said negotiations have done a good job in capping it. Some of the employees that had the biggest balances have since retired. They are doing a good job of minimizing their liability, but if the business was to shut down on June 30 last year, they'd have to dish out \$1 million. That's never going to happen, but that's the accrued time people have. Selectman Coutu asked if there was a capital reserve for this. Selectman Jasper said they do. Ms. Carpentier said about \$75,000 on June 30. It should be funded at 25%-50%; that would be prudent, but that's not where they are at.

Selectman Maddox said that's why he seconded the motion. As much money as they can leave in the fund, the better off they are. On July 2, they will be sitting with 14% of their exposure, so by doing everything they can do make the money come out of this year's budget, they keep that much in there. In the past, two people could have wiped out that balance. It's a liability that's hanging over their heads and something they want to look at but it is what it is. This motion is to keep this fund as solvent as they can as they move forward.

Selectman Massey said at one point, this fund was significantly higher funded. At one point, it had at least \$225,000 in it. The bad news is it's down to \$75,000 but with this action, it'll go back up to \$150,000. The good news is the reason why it's being

drawn down right now is because of the contract negotiations that they did over the last three years. There now a maximum of 90 days and any new hire is at 60 days except for one union that's 75 days across the board. They are paying in today's dollars those buyouts, not at retirement date buyout, so the cost to the town is, over time, going to be coming down. They are taking a small short term drop in the value, but the overall help to the town is going to improve.

Vote: Motion carried 5-0.

Selectman Jasper said in looking at the numbers, they really need to increase what they budget next year up to \$100,000.

F. Fiscal Year 2008 Encumbrances

Finance Director Kathy Carpentier distributed earlier a revised encumbrance list. There is an additional \$10,000 which represents two PO's for the trade-in vehicles that Community Development and Assessing had done in March. Appropriations are usually for a one-year period. She asked the Board to encumber the funds that are the town's legal obligations, as of June 30, 2008. She had requested a list of PO's from the various department heads, which are their financial obligations, and that was what was before them—a request of \$1,287,791.37. If things get paid, that number could decrease, but under no circumstances would it be increased. They haven't received the last trash bill, the last quarterly bill from the City of Nashua and the police cars because the year hasn't ended. The water items are old, but they've been encumbered year after year, but they are a liability.

Motion by Selectman Jasper, seconded by Selectman Massey, to encumber the not to exceed amount of \$1,267,521.35 for Fiscal Year 2008.

Selectman Jasper said the reduction was \$20,270.02 for the Green Meadow consulting. He never felt it was necessary for the town to budget money for this project, that the developer should be responsible for it. There's nothing going on at the moment, so they don't have any obligations and he didn't see any reason for the money not to go back to surplus. Selectman Maddox said he disagreed that they didn't need it at one point, but thinks, at this point, that project is going to a place where they don't need to have the money. It was good to have it. If they needed it, they had it available, but from what they can see at the Planning Board, this is going to be a much longer term issue and he agreed this is one of those things they need to give back to the general fund. As you look at this, and they look at all of the invoices and purchase orders, it's fascinating they are going to pay \$48,000 for emergency lights for a new vehicle. It must be great lighting.

Selectman Massey said to be clear, he seconded the motion because he thought he knew where Selectman Jasper was headed, but the record should show clearly that the encumbrances will not include Cost Center 5940-298 Other Expenses Contingency of \$20,270.02.

Vote: Motion carried 5-0.

G. Pelham Road Culvert/Dam Project

Gary Webster, Acting Town Engineer, was recognized, who introduced John Byatt, the engineer from CLD and Bob Stevens, the engineer from Stevens Associates, the dam/bridge expert. Mr. Webster said these individuals were with him to answer any question or clarify any concern the Board might have. The request was for an additional \$10,900 because of extra work needed to determine if this is going to be designated as a dam or a bridge. This project was approved by warrant article, but they are stalemated right now. They need the additional information to find out what direction the Selectmen want to go in.

Selectman Maddox said this has been a project... they need a bridge to get to all the stuff they've got to get across. Is this going to be a bridge or a dam? How hard can this be to figure out? Which one are they funding? Mr. Byatt said that's what they want to determine. The question is if the dam provides any water storage and, if it does not... right now, it's neither a dam nor a bridge; it's a culvert. The town is trying to decide whether to proceed with the restoration of the culvert as a dam, or remove it and replace it with a bridge. They are proposing to do some work to determine whether the structure, as a dam, provides any meaningful flood control and, if so, it would have positive effects during flooding downstream and, if not, remove it as a liability from the town and replace it with a bridge. Selectman Maddox asked why not put in a culvert, which is there. They are going to do what they did with Melendy Road. They are going to keep engineering this thing to hundreds of thousands of dollars and still not have a structure. Who is going to make the determination whether it should be a culvert, a dam or a bridge?

Selectman Massey thought he could shed some light on it. The state originally came down and declared that this was a dam. The engineering estimates they have from CLD were based, primarily, on the fact that it was going to have to be dam construction, not bridge construction. In the course of doing some of the preliminary engineering work, it came to be a question, was the cost of building a dam worth the savings you would get in the amount of water it could hold back, or would a bridge, except for a 500 or 1,000-year storm, be where the issue is. What they want this money for is to do some additional calculations to find out whether that delta between what a bridge can hold back and what a dam would hold back, that the cost is worth spending. That's his understanding of what was being asked for. The state has already determined it's a dam, but now they're willing to work with the town to make it be a bridge instead, if the additional engineering work will confirm that there's not real benefit to building it to dam standards, as opposed to bridge standards.

Mr. Byatt said the town has funds to do some work on Pelham Road, and the determination is whether or not to spend the funds to determine whether it is a dam or a bridge. If it's a dam, the state has determined that the hazard classification would likely be high hazard, which has specific requirements associated with it, including annual inspections and annual fees of \$1,500 and frequent emergency management notification procedures, testing and updating of them in the form of emergency action plans.

There are liability issues associated with dams, and high hazard dams have more risk and more liability associated with them. The money would be spent now to determine whether the structure, as it is, provides any meaningful water storage and, if not, the town would decide whether to replace it with a bridge or rebuild it as a dam.

Selectman Maddox said he could see them going over that cliff. He wants to go back to the culvert. There's a number of issues and he's seen a couple of the Mothers' Day floods. There are a number of other structures that are holding back water. He never really saw it being a dam. It was held back mostly by the water trying to get under Lowell Road. He wonders why they are spending a lot of time and money to determine if it should be a dam. He didn't see any realization they were going to do any good for the citizens or the watershed by putting up a dam, so why are they going around in many circles to go nowhere? Mr. Byatt said there's no option. The state has determined that they need to either register it as a dam or remove it. Selectman Massey said that was his point; the state has already made the determination. Selectman Maddox said but they haven't. They keep saying it might be; it could be; it should be. Selectman Massey said no, the state determined it was a dam and as they did their current engineering work to construct the dam, it occurred to them that maybe, given the volume of water that's involved, it might not have to be constructed as a dam. All they are doing is saying, for the cost of \$10,900, the town may save a significant amount of cost downstream—forget about what it's going to cost to construct a dam or a bridge. The construction cost is not that much different between the two. It's the ongoing cost to the town if it continues to be a dam. That's what they are really talking about.

Mr. Stevens said dams impound water, and this dam impounds water for various storms in different ways. When the dam is full, it overtops and it has done that several times in the last several years. When they study these things, they determine what the inflow is and compare it with the outflow of the dam. When the dam is full and overtops, the inflow starts to be the same as the outflow, so at that point, the dam isn't doing anything to mitigate flooding downstream, but it's impounding water and if it fails that water goes downstream in a flood wave and that flood wave is generally greater than the ambient flooding going on downstream during these events. That's what the risk is to the town. They have this structure that's going to impound water and that impounding water is not giving any meaningful benefit to residents downstream, but it's putting them at risk, at the same time. That's the issue to the town.

Selectman Maddox said if they kept it as a culvert that's there right now, still operational. Mr. Webster said it's still a dam. Mr. Stevens said it's a dam right now by regulation. It's a dam; it's just not registered as a dam and DES has offered to let the town determine whether to remove it and replace it with a bridge in lieu of registering it as a dam. That's the issue they are trying to help the town decide with this study.

Motion by Selectman Jasper, seconded by Selectman Massey, to approve Amendment #3 to the Pelham Road Culvert/Dam engineering contract with CLD in the amount of \$10,900, carried 5-0.

H. Bid Recommendation for the Ottarnic Pond Sewer/Water Installation

Acting Town Engineer Gary Webster this has gone out to bid and they've found a successful bidder to do the project. He hoped the Selectmen would award the bid. The packet explained the funding and everything else. He's applied for DES funding, the 20%. He got an e-mail today which confirmed the funding was close to the figures he presented to the Board. The Sewer Utility and Water Utility were both contributing money and the people at Ottarnic Pond has acquired a CDBG grant. He hoped the total construction was going to be at \$792,468, with the engineering. The total funded amount was \$820,007. They will need full-time inspection out there for the sewer project because DES requires it and there's not way he can do it alone. That will be part of the excess that's in the final tabulation. They only have two bidders and DBU was the low bidder. There were 19 packets that went out; 11 at the pre-bid meeting and only two bidders. He thought he'd see more bidders on the project. This will be a three way contract—the town, the contractor and the Ottarnic Pond Co-op.

Motion by Selectman Jasper, seconded by Selectman Massey, to award the Ottarnic Pond Sewer and Water Installation contract to the lowest bidder (DBU) in the amount of \$693,168, as recommended by the Acting Town Engineer and Finance Director.

Selectman Maddox said the documentation showed that the town loaned the Co-op \$90,000 from water and \$252,576 from sewer. He asked how that was being secured. To the association? To the homeowners? Mr. Webster said it's a 20 year loan at 3-1/2% interest. They haven't sat down until they go through this whole part to actually sit down and make a contract. It's usually after they spend the money, they sit down and do the payback through the sewer utility. He asked if Selectman Massey could add anything. Selectman Massey said the Co-op is the one that's going to be securing the loan and there's only going to be one bill under the betterment district. A betterment district will be created for both the sewer and water, so a single bill will go to the Co-op, but all of the members of the association are financially liable. They will sign the same kind of agreement that the Glen Drive people did, and it will be under the same terms and conditions.

Selectman Jasper said it's a little different than Glen Drive because there was no association; it wasn't a loan. It was strictly a betterment district. This is with the association, but it's the same concept with the same legal obligation. He asked them to make sure the i's were dotted and the t's were crossed to make sure the town was protected. Selectman Maddox said as long as it's a betterment district because it's not what it says in the paperwork. Mr. Webster assured them it was.

Vote: Motion carried 5-0.

I. Route 102 Water Main Extension

Selectman Massey said at the Board's March 10th meeting, he proposed to the Board, which passed 5-0, that the St. Joseph Medical facility, that if it was going to be serviced by town water, there were two stipulations that had to be met. One is that the

pipe cross country would be owned by the developer and two, that water was subject to the town's consultant's determining that there was sufficient volume and flow to supply them. Subsequently, he learned from Gary Webster that the water utility regulations stipulate that the town shall own all pipe up to the curb stop. That means that the pipe going cross country would be owned by the town. The developer has created a set of easement documents, which have not been executed. He was bringing this back to the Board for its consideration for a couple of reasons. One, he somehow missed the boat, for which he apologized, that it should have been that the town owns the pipe all the way to the curb stop and secondly, once he realized that, and in talking with the Town Administrator and Mr. Webster, it seems that the difference between the amount of pipe that would be run cross country versus running a pipe up 102 and down Robinson Road is a distance of approximately 60' and for the long term benefit of the town, he didn't want to be sitting there six or seven years from now when they determine they want to supply water to other parts of that area, and somebody says, "Why, those stupid Selectmen back in 2008. Why did they ever run a public pipe 800' across country?" Long term, it makes more sense to run that pipe up 102 and down Robinson Road and because this has all happened after the fact, which he'll cover in a minute, that the town pay that delta of 60' and because they've now determined, but the time they talked about it, it looked like they were going to need an 8" pipe, and the recommendation is the town would pick up the delta for a 12" pipe, the Fire Department has determined that they actually need a 12" pipe into their property. If you go the opposite way, he recommended that they fund the delta between a 12" pipe and a 16" pipe and one of the advantages to the developer is that if they do that, they don't need to have a 12" pipe on their property. They probably can do with a 6" pipe, which would cut down some of the cost. He asked if the Board, for the long term... the two options for the Board that he sees are A), either reverse the decision on March 10 and make the pipe town water utility ownership or B) they reverse the decision of March 10 and require that the pipe go up 102 and down Robinson, with one caveat. They do not cross either 102 or Robinson Road. The pipe goes down 102, and just before it gets to the intersection, it takes the right turn.

Selectman Maddox said Selectman Massey didn't make a mistake. He was stopping at the curb stop at 102 to a private line, which is what they originally wanted when they came to the Planning Board, so that's what was intended. Selectman Massey said the town owns on two other properties the pipe into the development and in Shepherd's Hill, the town actually owns the pumping station that's on private property and the town owns right up to the point where that pumping station services each individual system. Selectman Maddox said this brings them to the larger issue, inasmuch as, as the representative to the Planning Board, they are getting these requests to build in areas that don't have town water, but they may, they could, they might. That needs to be worked out and it needs to go on the magic checklist for Community Development, whether there's enough flow, enough capacity, whatever it is, to get to these locations. They're asking for conditional approval, based on water, then they go to water and say the Planning Board approved it. They're setting themselves up for a circle that could be problematic in the future. In this case, he disagreed with Selectman Massey. He didn't want to go down 102 to Robinson Road. He was told it's going to be an engineering problem to be able to make that turn. Going the cross country back way, if they are going to give an easement, serves the same purpose and takes care of the issue without digging up a road they just paved, dealing with all of that, and move on.

Selectman Massey said he talked to the Water Utility Committee last Wednesday and they agree to examine the Water Utility's policies relative to hookups in town and they are going to come back and make a recommendation to the Board, acting as Water Commissioners and how for any future plan that comes before the Planning Board, the checklist Selectman Maddox is talking about. The other thing he wanted to make everyone aware of is he didn't think that if they called the curb stop to be at 102, then he didn't think that at any point down the road would they ever want to consider running pipe off of that property on to any other adjacent properties because it wouldn't make sense. You'd have easements on top of easements.

Selectman Jasper asked what the line size was right now at the end. Mr. Webster said a 12" line. Selectman Jasper said going to 16" doesn't make any sense. Mr. Webster said there's a 16" line coming down Page Road, so they just have a short 12" and talking to Don Ware about this, the idea is volume; that's the problem down there. They got pressure, but they need volume and the 16" line—even the 12" line—is approved by Fire. They thought they were going to get an 8" line to go in there and they need a 12" line to take care of the volume for fire protection. He is meeting with Weston & Sampson this Friday, so he will have more information after that meeting. 16" is plenty big; that can take care of that whole end of town. Selectman Jasper said his issue is, came in from Litchfield down Page Road, 16, they just put in last year 12" and now they are saying they really need 16"; that's pretty stupid. Selectman Maddox said because there was no development past that, which is what he was talking about. Selectman Jasper said if you've got a 16" line, you know you've got all that industrial/commercial area up there, why the hell did they only put in a 12" line, and now they need to go back to 16". Mr. Webster said a 12" line came off Page Road; White Hen Pantry. That's a 12" line; they continued a 12" line up to Southern NH and did a 12" because that was there. It should have been a 16" line going down 102 and then crossing. That would have made sense, but that was before his time. Selectman Jasper said at any rate, he'd have a problem with it going down 102 to Robinson because the terrain there drops off and they would obviously have to break the pavement. There's a retention pond there, that's now the Erving Station, so there'd be a 90°; he didn't have a problem with having easements. There's a paper street in there where the two buildings are, then it comes back out just to the south of the dance studio. He's driven on that road plenty of times, but didn't know if it was on the plan. He has used the road when he's driven to his doctor's at Dartmouth Hitchcock. If they followed that, that would be consistent with the development plan and had the easement of there. They need to own it because there's the 50-acre parcel that used to be the Jacowicz's piece. They're probably going to have water requirements.

Selectman Massey said even if it was a paper street, the fact that it hasn't been a street for 20 years means it's now owned by the abutters. Selectman Jasper said it was put in by Tate and never recorded. Selectman Maddox said it wasn't on the plan when the medical center came in to the Planning Board. Selectman Jasper said it's there physically. Even if it went cross country, it wouldn't be unprecedented. The water line on Old Derry Road goes way off, up into the woods. They allowed this to happen off of Thurston's Landing, down into the piece off Spear Road. It would be a bad idea for them not to own that because there's likely to be further expansion out Robinson Road. He'd support that, but he wouldn't support going down 102 because of the terrain.

Chairman Nadeau said, to clarify, they are going to go up between the clinic, per plan, on the paper street. Mr. Webster said that's where it's proposed now. Selectman Maddox said and it will continue down 102 two lengths. Mr. Webster said that was correct; two lengths will be on the other side of the driveway—40' beyond the valves and things that go in there. Selectman Jasper said and the hydrant. Mr. Webster said in the easement documents, he talked to Brad Westgate, if it's going to be public, that easement will come back to Robinson Pond, so they would have the right to continue that line. If they leave it private, no one can tie into it and the private developer owns that water line, not the town.

Based on talking with Mr. Webster, if it's going to go cross country, it should be town-owned, just on some of the engineering issues and quality and safety that he recommended, but still thinking further into the future, if they are going to construct this line, they should do it at 16", so if they do ever have to come back out on to Robinson Road, they've got a 16" pipe, not 12" and that would just mean they'd have to pick up the delta. He wouldn't make that commitment tonight; he'd want to know what it would cost to add that 4" of pipe.

Motion by Selectman Massey, seconded by Selectman Maddox, to rescind the vote of March 10 and comply with the Water Utility regulation relative to ownership, carried 5-0.

Motion by Selectman Massey, seconded by Selectman Maddox, to find the cost of going from a 12" pipe to a 16" pipe and have that brought back to the Board for a subsequent decision, carried 5-0.

J. Non-union Salary Increases

Selectman Maddox said at the February 12th meeting this year, they talked about the department heads' reviews, and the Board was going to see those during April and May. It is now the end of June and he was wondering when they were going to see them because his vote on this is going to be tied to that issue being resolved. They talked extensively about tying those in. Chairman Nadeau said he was told they're being worked on and asked if the Board members wanted to defer this to the next meeting so they can get those results.

Motion by Selectman Maddox, seconded by Selectman Massey, to defer to the July 8th meeting.

Selectman Jasper said this is no fault of the department heads that the Board hasn't seen their reviews. While he didn't have a problem putting it off, assuming the reviews are favorable, that they be retroactive to July 1 so there's no harm to the employees. Selectman Massey said that was his expectation. Other Board members agreed.

Vote: Motion carried 5-0.

K. Hiring Freeze

Chairman Nadeau said he put this on the agenda, as the result of the Board's discussions over the past year or so of what they are going to do with positions that are not filled. They have a couple of open positions and as Selectmen, they can reallocate the manpower from one department to another if they so choose, instead of filling the position. There is a position in Assessing, fire and police positions, which he feels should not be frozen at this time because of safety issues, but they should think about hiring an outside contractor for the Town Engineer's position and maybe moving some personnel around to cover the Assessing Department. There could be a downturn in the economy and they might have extra personnel available in other departments that doesn't see any action because building permits are going down, etc. He asked how other Board members felt.

Selectman Massey said the Chairman's thoughts were based on the uncertainty around gas prices, in particular, and if they are going to be asking the departments to make cuts, it would be appropriate to defer any action until after the Town Administrator comes back so that he and his department heads can get together. Having talking with the Town Administrator, they have \$70,000 in a contingency fund for gas, which represents approximately 60¢, as indicated in the memo from the Finance Director. They had budgeted \$2.15 for next year. The \$70,000 for gasoline and diesel would represent approximately 60¢ for 116,000 gallons of fuel, which is budgeted for next year. In talking with the Town Administrator, it's almost certain that they won't be coming to the Board in the near future with a recommendation for filling the Town Engineer's position, not because it doesn't need to be filled, but because they haven't seen the resumes they think the position deserves. Consequently, he will probably be recommending that they defer hiring the Town Engineer for six months and that he would back-fill between himself, the Acting Town Engineer and the Clerk in that office, plus on a case by case basis, consulting help from an outside engineering firm. In looking at the projects for the town right now, that appears doable for the next six months. If you take the Town Engineer's salary for six months, including benefits, it's approximately \$46,000. They wouldn't be able to put all of that in the contingency fund because some would have to be spent on engineering. If they want to find some comfort level around fuel costs for next year, they should defer this until July 8 and give the Town Administrator and department heads time to come back with a recommendation on how they would see managing this for Fiscal Year 2009.

Selectman Jasper disagreed on deferring the discussion, and that's all it is, at this point. Chairman Nadeau certainly got things stirred up with this agenda item. He's glad to hear the Chairman didn't want to put off the firefighter paramedic and police because that's not what was in the paper today. He thinks they need to deal with this on a case by case basis. If there is a vacancy, they need to look at it. There is a vacancy in Assessing right now and, perhaps, there's some staff that can be utilized on a temporary basis from Community Development to fill in, but that's a discussion they should have with the people who are involved to see if there's a possibility of making that happen. The Chief is well into the hiring process and they will throw a lot of money away if they delay hiring the newly approved police officer; getting to this point will be wasted. As far as the firefighter, that is a vacant position as of July 1, not a new one. They would spend a lot more money on overtime if they didn't fill it. All

they really need to do, and perhaps it's a matter of rescinding an action the Board took some time ago to automatically allow department heads to go out and post positions as they become vacant. When there is a vacancy, they need to come in and talk to the Board before they advertise and post. That would be the prudent thing to do. He couldn't recall if he was for or against that motion, but right now is the time to say no, they want to know about all vacancies and all postings. They do the hiring, but at some point, they get too far along in the process and it doesn't make sense to backtrack. They just need to deal with this on a case by case basis. If someone left the Highway Department right now, it might make sense not fill it because they are needed most during the plowing season and hold off hiring them until October, or something like that. That's what he'd prefer, rather than have a blanket hiring freeze.

Selectman Maddox said the Chairman managed to get Channel 9 here this evening just by two words on the agenda—but this is a discussion the Board should have. He's not a big fan of hiring freezes, per se. Maybe others would join him in eliminating positions that they may not need at this time. It's going to get worse before it gets better and it's not just fuel. Everything they buy will go up because of high fuel costs. They've got \$70,000 that will cover a certain amount of it, but they will be looking at it. The Board has said to wait until the 2010 budget is going forward, but he thinks they need to start looking now. It's a good discussion and one they need to have. He's not a fan of just a freeze, and it's not just public safety, even though they are half of the budget. They have to be looking at how to fit within a certain guideline. He didn't want to see them institute a hiring freeze. Like Selectman Jasper said, they should look at the options, but just because it's public safety, it's an automatic get out of jail free. They need to look at how they are going to manage the budget over the next 12 – 18 months. This is an interesting idea, but he's not real keen on it.

Selectman Coutu said he expected this to be a contentious debate, but apparently it's not going to be, and he's not going to go in that direction. The Chairman called him several days ago and discussed two topics. One was whether or not they should discuss publicly whether or not they should have a hiring freeze and he said to the Chairman at that time that he could support looking at individual positions, in essence what Selectman Jasper has just proposed, a case by case basis. Under no circumstance would he support any motion with any language that would jeopardize the public safety in Hudson. By a majority vote in last year's election, the citizens voted to hire two new police officers. To do otherwise is a slap in the face to those people who took the time to go to the polls to support the hiring of two additional police officers. To not fill positions within the Fire Department that become vacant is only going to increase the cost to the taxpayers for overtime. Is there fat? Is there room in the budget? Are there positions that can be eliminated? For the short period of time he's been here, he says yes, there are, and the best way to approach cutting those positions is to take it on a case by case basis. The best motion to make at this time, if they were to entertain any kind of a motion, is that they would instruct the Town Administrator to advise them of any vacancy that should occur as the result of someone leaving their position, or not being able to continue to fulfill their position, and by consensus of the Board of Selectmen, they will determine whether or not to continue with the hiring process for that position, or freeze or eliminate that position. What Selectman Jasper proposed is the most sensible approach, at this time, and the best avenue they should pursue at this time.

Selectman Massey agreed with Selectman Maddox that no position in town is sacrosanct, including fire and police. However, on the basis of the discussion they gave at the budget hearings and deliberative sessions, and the vote of the town people, he does not intend to go against that vote. Paraphrasing something, long ago and far away, one of the seminal thinkers for our form of government was a man by the name of John Locke. John Locke was a member of Parliament in the 1700's and some of his writings were the basis upon which our form of government in this country were made. Every since he was in college, he's reflected upon what he said at that time. He basically said that a legislator does his constituents ill if regardless of what the constituents think is the right course of action, the legislator, with the possession of knowledge that may not have been present, he votes not for what the constituents want him to do, but he votes for what the constituents need to have happen. On that basis, there would be some circumstances under which he could see a position, even though the voters had voted to create it, to not fund it, based on current circumstances. In this case, it does not rise to that occasion because the case is strongly made as to why it was in the town's best interest to have those positions. He supported Selectman Jasper's thoughts.

Motion by Selectman Massey, seconded by Selectman Jasper, that all future vacancies require the department head to come to the Board before the position can be posted carried 5-0.

Motion by Selectman Massey, seconded by Selectman Maddox, to request that the Town Administrator report back to the Board no later than the July 22 with a plan for where they might be looking at spending less in order to cover the contingencies.

Selectman Massey said they are talking about more than just fuel; they're talking about electricity, gas, some of the commodities and they may have to take some serious look over the next six months as to how they manage their budgets. Selectman Maddox is right; now is the to start looking at that and he would look to the Town Administrator to come back with some ideas on how they could manage today to prepare for those contingencies. Selectman Jasper didn't think there was a great rush and he'd prefer to wait until the Town Administrator comes back. He'd rather have a discussion with him present. Selectman Massey said he wouldn't have a problem with that. Selectman Maddox said in his opinion, he can watch the tape, just like everyone else. The longer they wait, the longer they wait. Selectman Jasper said they could wait until the 8th to discuss this. He'd like to hear what the Town Administrator has to say. That's why he was hired. He didn't see what the rush was, to do this without consulting with the Town Administrator, at least to hear what his thoughts are. He is opposed to the motion.

Selectman Coutu asked what problem Selectman Jasper saw with that motion; the Board will probably ask him to do that anyway. Selectman Jasper said he might say this will take a little more planning than this; if he's going to do this, he might need to do some planning with the department heads. They need to sit down and talk about what they might be facing and maybe the answer is to come back in August. Rather than blindly say here's what we want, he'd prefer to have a discussion. He didn't

understand what they are going to save in the first 15 days of a new budget. They are unnecessarily playing Chicken Little, the sky is falling. He didn't see it like that.

Selectman Maddox said he knew they could make it contentious. The two weeks is 1/24th of a year. The time just slides by and the longer they wait, the longer they wait. They need to at least get him started. He might come in next week and say he needs more time. Then they can make that decision. He knows when he comes back on Monday the issue they're looking at. If he has any questions, he's capable of asking. The Board is just trying to get something rolling downhill.

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

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Massey said the Seniors met last Wednesday and there was a continuation of what was started with the breakfast back in May. Two weeks ago Saturday he, Selectman Maddox and a member of the Seniors Executive Board looked at four properties, two of which the town owns, one the town would like to own and the fourth is with a building already on it. At the moment, the one with the building appears to be off the table because the individual is interested only in leasing part of the facility. The Benson's property is too far out, so they looked at two other pieces of property, both of which could accommodate a facility. One is located on Industrial Drive and the other is located between Highland and Ferry Street, with George Street as one of the boundaries. That property is about five and a half acres. The bottom line is the Seniors are going to try to look at a couple other properties, but they are also planning to think about the different ways that they can go forward with this and they are prepared to come back at the meeting of August 26 with a proposal on what they would like to see going forward.

Selectman Jasper said one fire engine, their second newest truck, is out of service with brake and axle problems. It should all be covered by the manufacturer under warranty. While they were working on the brake issue, they found the axle issue, so that truck is going to be put on a flatbed and taken to the New England dealer for KME, so that will be out of service for awhile. Luckily, the new engine is here and in service, so that helps. Selectman Maddox asked if KME was going to cover the \$8,000 expenditure for the brakes. Selectman Jasper wasn't sure, saying the truck has over 30,000 miles on it. This problem was a mechanical failure, not brake pads wearing, so he's not sure what Selectman Maddox was referring to. Selectman Maddox said the Chief sent an e-mail saying the calipers were gone and wondered if that was part of the same problem. Selectman Jasper said yes, that was being covered.

He's sure they all heard about the Litchfield situation with the radio frequencies, and that is well under control. Litchfield is back on one-nine-oh. They still have use of their new channel truck to truck, but it's back in their base. They are working cooperatively to come up with a long term solution. One of the problems is Hudson doesn't know when it will be licensed for its new channels. That was going to delay the town putting Litchfield's new channels into our radios because it made no sense to bring the vendor in twice. Litchfield has agreed to program Hudson's radios for their frequencies so the town will not have to expend additional funds. That will take place very soon. Another thing they will be looking at, getting pricing... they have one-nine-oh on the base, but they can operate only two channels at once. They don't have the capability to operate on three channels in Central. It's a relatively minor fix to do that. They'll be getting pricing to add that third channel capability on to the base. Hopefully, within 30 days, Litchfield will be fully functional with the town of Hudson. They had a successful resolution that that unfortunate problem.

Selectman Coutu asked the Board what they wanted to do with regards to the Temporary Cable Facilitator's contract that expired on June 30. Selectman Maddox asked what there was going to be a replacement. Selectman Coutu said in the Cable Committee Chairman just posted an ad for the position in the HLN and in Pelham's publication. Selectman Coutu asked him why he wasn't using the cable facility to advertise the position and wondered if the Temporary Facilitator wasn't allowing it, but Mike said that was an oversight and he'd get that up and running. Selectman Coutu said Mike's heard nothing so far, so he might want to consider other avenues of advertising, such as the local daily newspaper. Mike said he could have this resolved in any given period of time, namely 30 days.

Selectman Massey asked why the Cable Committee was hiring; it was the Board of Selectmen that hires and the Board should be advertising and interviewing the candidates. Is it the assumption of the Cable Committee they are going to represent a candidate to the Board for hiring, or are they simply facilitating the people to come to the Board of Selectmen. All committees, commissions and boards are interviewed and approved by this Board, so he was confused.

Selectman Jasper said he was confused for a different reason because it appears the Board hasn't done anything, so at least the Cable Committee has been. He didn't remember if he was on the Board when the last cable facilitator was hired, so he didn't know what process the Board used at that time. Selectman Massey said they interviewed candidates. Selectman Jasper said then that should have been the process, but the Board should have been responsible for advertising and maybe they dropped the ball, in that case. However, he heard there were three applicants. If that's the case, he didn't know what was going on. This was a temporary appointment and would have expected something to have happened, particularly if there are three people. He didn't think it was the committee's job to reject the applicants, that they would have presented them to the Board. There is an obvious breakdown in communication, which seems to be 90% of the problem in the world; lack of good communications. He didn't know what else they could do at this time except to extend for another 30 days.

Selectman Coutu said the Chairman of the Cable Committee told him that he was of the opinion that three locals were going to apply—one is the former Chairman, another gentleman and Leo. Whether or not they formally applied, he didn't know. Being new to the Board of Selectmen, he's not totally familiar with each department's policy or how they've dealt with each committee, what the process was for hiring. He didn't remember authorizing the Recreation Department to run ads to hire a soccer coach and a basketball coach, but they went out and did that on their own. They either have a policy or they don't have a policy. If there is one, they should make sure it's applied

across the board for every committee. Ads are being run on TV. The Fire Department and Police Department come before the Board; he's seen meetings where they've come before the Board, but the other committees like Recreation and Cable are going off on their own.

Chairman Nadeau said the ad the Fire Department is running didn't come before the Board. He's just filling a position that's open, but with the new motion that was made tonight, they would have to come before the Board to do that. They were just going by what happened in the past. Selectman Jasper said the advertising is one thing. Even the soccer coaches for the Rec Committee come before the Board because the Board hires every single person who draws a salary for the town. With advertising, a few years ago the Board said if a vacancy comes up, go ahead and advertise; you don't need to come in and ask permission to post. He didn't remember where he stood on that, but tends to be very parochial in those areas and wants to hold on to all the authority of the Board of Selectmen because these happen. If you don't know what's going on, you don't know what's going on.

Selectman Coutu didn't think it was the intent of the Chairman of the Cable Committee to narrow the candidates; he was just advertising the position. He didn't think he was going to exclude anybody; he was going to present all of the candidates to the Board and he wasn't going to do anything other than that—and he didn't know how the conversation evolved the way it did. said he was disappointed that this started two months ago, and the ad was just put in the paper.

Selectman Maddox understood that the Cable Committee Chairman was a volunteer, but he was disappointed that this started two months ago, and the ad was just put in the paper. A year later, Selectman Maddox is still waiting for a project he had going. Maybe part of the problem is he's a volunteer. He guessed he'd make the motion to extend for another 30 days, or not. He's disappointed that they knew this was happening. The Selectmen thought they had resolved it and now he's hearing the ad just went out.

Motion by Selectman Maddox to extend for another 30 days, seconded by Selectman Massey.

Selectman Jasper said he voted against hiring the current facilitator originally because he thought the rate was too high, given the level of expertise. He asked Selectman Nadeau if he had tracked the facilitator's hours to see how they compared with the previous facilitator. Chairman Nadeau said the hours were about the same.

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

Selectman Maddox referenced the joint meeting with the Planning Board; they were going to build a committee on how to they were going to do things better as far as tracking and whatever. Mr. Sullivan has put something together to request a Planning Board member. He's looking for a member from the Selectmen to also be on that committee along with him, as he is the person who is on both boards and he is stuck. He will serve on both boards, but it would behoove them to have at least one other Selectman... Selectman Massey? Selectman Massey asked when they were meeting. Selectman Maddox said they are waiting to see who was going to be the Planning Board... but they haven't forgotten about this. It's important to the Planning Board to move this forward. Selectman Massey said being the alternate, he'd be the logical, but if either of the other two members would want to do it, he would graciously bow. Selectman Jasper said he had no burning desire to do it. He'd do it if Selectman Massey didn't want to, but since he was willing—and he has a lot more expertise in that area since it has been over 20 years since he's served on the Planning Board—he'd prefer Selectman Massey to serve on that committee.

Motion by Selectman Jasper that Selectman Massey serve on the committee, seconded by Selectman Massey, carried 4-0. Selectman Massey abstained, then thanked the Board.

Selectman Maddox wanted to explain why he didn't vote for (the \$5,000 donation from) Wal-Mart. When he was on the Planning Board years ago, he used to know there were issues with site plan violations and whatever, then he'd be looking at the HLN and see that the Selectmen had accepted a grant from them and he'd say it didn't look right. He feels that it is the appearance that doesn't look right. If they want to give money to the town, give it to the library, the Seniors or the rec program, but giving it... he just thinks it doesn't look right, so he's going to not vote for it for as long as he's on the Board. He won't explain it every time, but there have been a number of questions, so that's where he's coming from.

Planning Board. By the hard pushing of him, by George Hall, he has been trying to find out how they can deal with the impact fees that they presently collect for the school department. He believes they have all seen something from that. There is a court case that says they can take the monies that they have, and those monies total \$1.2 million that they have collected over the last X years that can be used towards the pay-down of the work they did at the Memorial and the new Hills Garrison. They just need to get the School Board on board to say this can be done and should be done before they, as the purveyors of holding those accounts, have to go through the ordeal of giving it back. It is court-cased backed up and something they can do, so he was wondering if... he's volunteering, as the Planning Board Selectmen's rep, to go to the School Board and say this is available; this is something that absolutely needs to get done. It is \$1.2 million that they can take off of whether they did what they did with the water utility and refinance that bond if the numbers are right, or just pay down by that \$1.2 million they have. Here's another way they can significantly impact that tax bill next year. Without objection, he will volunteer to go to the next School Board meeting and bring that information to them.

Selectman Coutu said he didn't object, as long as Selectman Maddox reiterates to the School Committee that this isn't free money to be able to add more positions. Selectman Maddox said he'd be happy to make that quite clear, but he didn't think they were aware. It's a significant amount of money and it would benefit the town greatly by taking \$1.2 off of that bond indebtedness. Selectman Coutu said that was fine, and he agreed, as long as they don't start creating all of those positions he hears they want to create in the next budget, which is going to increase their budget and they're not going to see any savings. He's on the Budget Committee and will discuss that with them at that time.

NRPC. He did say earlier they talked with Nancy Mayville and that's the way they should go, to bring the DOT to them and iron out some of those differences. The NRPC meeting was on Wednesday and on Saturday when he got his packet, they were looking to set their dues for the 2010 budget. They asked the members to vote on that, and he did not because it had a 3.8% increase. They need to set their parameters at some point. They could be at zero, so he said he was not going to vote for it. He thought it was poor planning to not have the elected officials that are going to have to deal with the budget not aware of what was happening. It's not a significant increase, but it's an increase and they need to get going on where they are going to be with their parameters as far as the increase they are going to accept. It was more than zero, so he voted against it at that meeting, so they need to start looking to where they want to be so they can inform the department heads of these type of situations.

Selectman Nadeau said the dump is open this Saturday, being the last Saturday of the month. The Library Street reconstruction has begun. The Highway Department will connect the new catch basins to the existing drain lines. They are doing some sewer work and they will be milling off the road and repaving it sometime in July. When the roadwork at Library Street and Central Street is pretty much completed, they will be doing the work down Central Street to Fulton, repaving and putting in the new sidewalks. The roof on the gazebo at Library Park was replaced and stained. They took care of the rotted wood shingles. The outfield at Sousa Field has been completed and should be ready for use in four to five weeks. The department will be installing bleachers and benches shortly. The new ball field lights at Greeley Park are now working. The Highway Department did all of the underground work to set the poles for Hudson Youth Baseball.

The Burlington, MA Selectmen, Administrator and DPW people were in town last week, looking at Hudson's solid waste and recycling programs to model theirs after Hudson's.

As a clarification to the discussion on the hiring freeze, it wasn't just the gas and diesel items; it's the way the economy is going. He sees a big downturn in the building areas. They have only about 30% of the land left to build and of the 30%, probably less than half is buildable. He thinks there will be a downturn in building permits and revenue in that department and they should be looking at that department in moving some of the manpower to fill other positions that are open in Town Hall. Instead of hiring someone else, they should be looking at moving a position over from Community Development. They need to look at the big picture of Town Hall and all the services. The way the economy is going, he doesn't see it getting any easier. Gas prices are going up. The cost of all the other stuff is going up. This is something they need to look at, and not just because of gas and diesel prices.

There was a Recycling Committee meeting last night and they are moving forward with some items for Old Home Days.

10. NONPUBLIC SESSION

Motion by Selectman Maddox, seconded by Selectman Jasper, to enter Nonpublic Session under 91-A:3 II (b) The hiring of any person as a public employee; (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting, carried 5-0 by roll call vote.

Nonpublic session was entered into at 10:15 p.m., thus ending the televised portion of the meeting. Any votes taken upon enter open session will be listed on the Board's next agenda. Open session is being entered into at 11:30 p.m.

Motion by Selectman Coutu, seconded by Selectman Jasper, to hire Erica Coleman as full-time telecommunication technician effective Wednesday, 25 June 2008 at \$16.64 an hour, according to the Police Union Local 3657, effective July 1, 2008, as recommended by the Chief of Police, carried 5-0.

Motion by Selectman Jasper, seconded by Selectman Massey, to authorize the Police Chief to Post the position of part-time telecommunication technician for the Police Department carried 5-0.

11. ADJOURNMENT

Motion by Selectman Maddox, seconded by Selectman Coutu, to adjourn at 11:30 p.m., carried 4-1. Selectman Massey voted no.

Recorded by HGTV; 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