

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the March 25, 2008 Meeting**

1. **CALL TO ORDER** by Chairman Jasper at 7:00 p.m. in the Selectmen's Meeting Room at Hudson Town Hall.

2. **PLEDGE OF ALLEGIANCE** led by Master Patrol Officer Kevin Sullivan.

3. **ATTENDANCE**

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

**Staff/Others:** Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Fire Chief Shawn Murray; Deputy Fire Chief Neil Carter; Deputy Fire Chief Rob Buxton; Police Chief Richard Gendron; Police Lt. Bill Avery; Master Patrol K9 Officer Kevin Sullivan and his wife, Beverly and granddaughter, Reagan; Officer David Cayot; Karen Wisnoski; Josephine Steckevecz; Tera Lambert; Michelle Champion; Ray Rowell; Mary Ellen Davis; Roger Coutu; Kevin McGuire; Kevin Mason; Ron Peters; Andrea Perreault; Marilyn McGrath; Normand Martin; Len Lathrop; Mike O'Keefe; Ryan Halliday, TEL; Tom Tollefson, HLN

4. **PUBLIC INPUT**

A. **Presentation of Annual Reports to Dedictees' Family Members**

Chairman Jasper said all too often, contributions certain individuals make to the community are not recognized. He called attention to three individuals, whose civic involvement contributed to the betterment of the Town and its residents—and the reason why the 2007 Annual Report was dedicated to them. He recognized John Lawrence's daughter, Karen Wisnoski; Al Lambert's widow, Tera; and Ed Steckevecz's widow, Josephine presented them with the Annual Report. They all expressed their appreciation and gratitude for this honor.

B. **Certificate of Appreciation for 20-year Employee, Police Officer Kevin Sullivan**

Chairman Jasper recognized Master Patrol Officer Kevin Sullivan and said Officer Sullivan began his law enforcement career with the Hudson Police Department as a part-time officer in November 1986, and was appointed full time in March 1988. Officer Sullivan has been assigned to the Canine Division since 1997; he and his K-9 partner Dino were a team from December 1997 until Dino's retirement in April 2004, at which time he became a family partner, especially to Kevin's wife, Beverly. In December 2003, Akim joined the Hudson Police Department and the Sullivan's welcomed the new canine into their home. Officer Sullivan is very dedicated to department's K-9 program. The amount of time that he's devoted to the training and every-day needs of his K-9 partners is overwhelming. The Sullivans are enjoying the role of grand-parenting. Reagan is the apple of their eye! Chairman Jasper presented MPO Sullivan with his certificate and a \$50 check. Officer Sullivan expressed his thanks.

C. **Michelle Champion, Conservation Commission, Earth Day Cleanup**

Ms. Champion said the Conservation Commission was planning an Earth Day cleanup, scheduled for April 12. Groups can go to a conservation area in town or to Ingersoll or Merrifield Park, or a group can do a specific street, Musquash Road, Wason Road or the Community Club, etc. In the past, they've worked with the Highway Department. The trash was left in a central area and the Highway Department picked it up. If people did a street, they left the bags along the road, picked up by WMI. They hope to use plastic bags, supplied by the town, but because of the new trash contract, it has to be in a container. She asked how that should be handled on individual streets. The Highway Department already said they'd pick up the trash from Robinson Pond.

Selectman Maddox said Ms. Champion needs to coordinate this through the Road Agent, and she should indicate to him the pre-determined areas. Someone can't just clean up their yard and call it an Earth Day cleanup. Chairman Jasper concurred. The dumpster at the Highway facility may not be practical for people to use. She should make advance arrangements, coordinated through the Road Agent. There may be a procedure where stickers are placed on bags and crews would pick them up on those pre-determined streets. All of that should be coordinated through the Road Agent.

D. **Leslie Koschman, 6 Eagle Drive**, spoke on behalf of Ron Peters' appointment to the Board of Selectmen. He has helped her, and others like her—the little guy, the invisible guy, the ordinary guy—through some tough times. He is a proven leader, taking time to listen and help. When people couldn't argue with him in principle, they attacked him in the paper, but he rose above that, which takes a lot of character, and he has given up a lot of his personal time for this. A lot of people would have given up, but Mr. Peters has made a commitment to the town and every citizen in town so everyone can be heard. The town is a better place for having him, and doesn't deserve him. He encourages debate and treats everyone with respect and dignity. He holds people and principles higher than profit. His passion for the community has made it a better place. She appealed to the Board's sense of fairness and commitment to the community, to every ordinary citizen and to Mr. Peters to appoint him tonight. He has a strong work ethic, personal integrity, respect for every citizen and a commitment and passion to make Hudson a better place.

5. **NOMINATIONS & APPOINTMENTS**

**Board of Selectmen** (1 vacancy until March 2009 election)

Last week, six candidates were interviewed: Ted Luszey, Ray Rowell, Maryellen Davis, Roger Coutu, Kevin McGuire and Kevin Mason.

**Ron Peters, 16 Patricia Drive**, said he's lived in Hudson for 45 years and loves the town. He is a real estate broker and owns his own business. For 33 years, he worked for the FAA as an air traffic controller. He also served in the Korean War. He founded and administered the first youth hockey program in Southern NH. He and others put together Nashua HS-Bishop Guertin HS hockey programs. He was also general manager of the Nashua Garden Corp. for 12 years and formed a New England Hockey League team, the Nashua Maple Leafs, a farm club of the NY Rangers. He coached the Maple Leafs for a few years until the Nashua Garden went belly-up when the Tyngsboro rink

opened. He also coached the Manchester Monarchs in the New England Hockey League. On March 2, 2008, he was inducted into the New Hampshire Hockey Hall of Fame. He wanted to be appointed to the Board because of a few things that have happened over the past year that shouldn't have happened, to him and to others. He heads up Hudson Grass Roots Central, which opposes 100% any large scale development on the Green Meadow Golf Course. He represents over 600 registered town voters, who all feel the same way, that box development on that property will only injure the town. Within five minutes driving time of the Sagamore Bridge, there are 15 million sq. ft. of all the retail, services, restaurants, theaters, etc., anybody could ever want. There is no reason to force retail development of 2.2 million sq. ft., or less, upon the town of Hudson. It will ruin the town, and he loves this town. In response to a question Selectman Massey asked at the last meeting, that if the candidate was not on the prevailing side of a vote, what he would do. Mr. Peters said he has broad shoulders and he'd survive it; he can handle it. No matter what it is, if it's for the good of the town, he's for it; if it's not, he's not.

Another reason for his being present tonight was he didn't things were being done right. He submitted a petition to the town for a vote of all the townspeople about changing the zoning of the Green Meadow property out of G-1 into some other type of property that would still allow them to sell Green Meadow, but not to a retail box development. He had until December 12 at 4:30 to submit the petition. On December 11, he handed Ms. Boisvert his petition that had 25 signatures. It was probably the second or third petition he had submitted. The first one had a bunch of signatures that weren't registered voters, but that got all squared away and he brought in 25 bona fide, as far as he knew at the time, signatures and handed her the petition. He stated to her that he was in plenty of time for the deadline and she said he was. That afternoon he got a call from someone from Town Hall—either someone from the Clerk's Office or Priscilla--saying there were four registered voters who were not being recognized by the town and he'd have to get four new votes and delete one line from the petition, and she told him what that line was, and he agreed, saying he'd be there first thing in the morning with the votes needed and with that line deleted. That night, he got the four votes from four of his constituents, deleted the line from the petition, and brought the petition back and gave it to Ms. Boisvert about 10:15 on the day he had until 4:30 to submit the petition. Mrs. Boisvert told him he was too late; they voted on the petition last night. Mr. Peters said that was 24 hours before the deadline and he didn't think that was right. He didn't know who did that, but if he is sitting on the Board, it would have never happened.

Further, he strongly objected to the way the Board handled Mr. Cole, a dedicated servant to the town. Because he was an abutter to Green Meadow and stated that he didn't think Green Meadow should be built there, and because somewhere down the road, somewhere, maybe, somehow, maybe off in the distance someplace, maybe in the future, if this doesn't go through, somebody might file a lawsuit. Not that somebody was going to, but somebody might, and because somebody might, the Board shot him down. He didn't think that was right—not to a dedicated man like Mr. Cole, who deserved a job on the Planning Board. When Mr. Peters sent an e-mail to Mr. Jasper and the rest of the Selectmen, asking them to support Mr. Cole for appointment to the Planning Board, Mr. Jasper told him he could not possibly vote for Mr. Cole because he is against Green Meadow development. Mr. Peters didn't think that was right. He has a right to his own opinion; his vote is something else. That was a horrible way to treat Mr. Cole. If gets appointed tonight, he'll do everything in his power to stop that kind of crap; it won't occur, not on his watch—but he knows he has a snowball's chance in hell of making it.

He knows absolutely nothing about being a Selectman, but he's a quick study. He can learn fast, having been in business for many years, including reading spreadsheets and the whole nine yards. He likened himself to a TWA pilot, who hired only student pilots, so they would be trained the TWA way, and not come in with any bad habits. He has no bad habits, as far as being a Selectman goes. Ms. Boisvert sent him all of the information on what a Selectman does, etc., and he read it all so he is cognizant of what is going on. Right now, he's into the RSA's and studying his rear end off. If appointed, he will serve the town and work very hard for the residents and he will turn over his position as head of Hudson Grass Roots Central to another very dedicated man/group who will take over. Hudson Central won't die because he goes away; it is alive and well, with more and more registered voters every day, and they will make their voice heard at the polls in the voting booths. The Green Meadow thing is a horror show. Somebody might say anybody has the right to sell their property to whomsoever they please and, therefore, he's sitting there like Mr. Bluster. How would anyone feel if Green Meadow Golf Course was bought by the US Government and made a nuclear depository? How about a prison for the most hardened criminals in the world? How about a waste site, etc., etc.

Chairman Jasper said they weren't there to talk about Green Meadow; he's already given Mr. Peters a great deal of leeway. This is not a land use board. Mr. Peters realized he was given a lot of leeway and appreciated it, but he wanted people to know where he was coming from, adding that everybody in town was watching tonight. He said the last time he was here, he was bashed, that "he" said Mr. Peters has done nothing but bash the town of Hudson and the Board. Mr. Peters said he's never bashed the town one minute. He had every letter to the editor he every wrote and was willing to give them to Steve Malizia to see if he could find one time in any of those letters where he bashed any Selectman, or Hudson, he would withdraw his application for Selectman because it's not there. He has never bashed the town of Hudson. This is *his* town; *his* family; *his* people. If he does get to be appointed, which he doubts, he will work very hard for the town. He'll hold a lot of feet to the fire. He'll be tough when it is time to be tough and will be compassionate when that is needed, but there will be no little guy and no big guy. Everybody will be the same size. He requested the Board's vote, if they love Hudson.

Selectman Maddox said Mr. Peters seems passionate and asked why he didn't put his name on the ballot. Mr. Peters said he had a very good friend who put his name on the ballot, supported by Hudson Grass Roots. If he gets appointed, maybe he'll realize he made a mistake and won't run next March. On the other hand, he may find that he straightened out a lot of things that weren't being done right, and a lot of people who were helped that hadn't been helped, and he may decide he wants to continue to serve. Selectman Massey said he wasn't as interested in how Mr. Peters would feel if he was not on the prevailing side of an extremely contentious vote, but in how he would support or not support an action he personally did not support. Mr. Peters said this is still a majority rule country, and he lives with that.

#### **Nominations for Selectman**

Selectman Maddox said everyone who came in had a different perspective, and that's what the Board is looking for. They don't want to vote the same or be the same. Some of them had good ideas. Some of them should look at getting on a land use board, or the Budget Committee, to get the experience. As much as they all make it look easy, there are a lot of things to know and in a one year appointment,

it's going to be tough for people who don't have the experience in either of those areas to get up that curve. He's not voting against anyone; he's voting for someone, and that person is Mary Ellen Davis. He can't put his finger on exactly what it is, but at this point in time, she is the right person to be a Selectman for the town of Hudson.

Selectman Nadeau thanked everyone who applied; everyone had something a little different. He put the name of Ted Luszey forward. Chairman Jasper said if there is no other nominations, they will begin the debate. He, too, thanked everyone who applied, whether or not he agreed with them. It's important that people come forward and he encouraged people to get experience in other areas of town government. His personal prejudice is that a person coming to the Board of Selectmen should have Budget Committee experience because most of what they do relates to spending and the budgets. They have several people with Budget Committee experience and some with a background in finances, which is important, as well. In looking at everyone, and he look at, as he did last year at who is most qualified to be the Town Clerk-Tax Collector last year, one name rises to the top, and for him, that is Ted Luszey. Ted has been on the Budget Committee for many years; he's served on the Solid Waste Committee and has been very involved in the IT area and has been passionate about the town's need to begin to do facility planning and has all-around knowledge of the town operation, the personnel who are in charge of the town and the programs that the town has, and that is critical. When he looks at the qualifications that he would want to look at for someone running for Selectman, Ted has all of the qualifications. The two of them do not always agree on budget issues, and they have had some fairly passionate debates, particularly over the last solid waste contract. He does not want to take anything away from anyone because there are people who, if Mr. Luszey was not in the running, he could easily support, although in some cases, he wishes they had a little more experience in budgeting—but that's his personal prejudice. He thinks they are going to have a difficult time coming to a decision tonight.

Selectman Massey said now he knows why there are odd numbers on boards because it's pretty clear that this is going to be a two-two vote, if everybody goes the way they are talking about because he will be supporting Mary Ellen Davis.

Chairman Jasper said it looks like they are at a 2-2 tie. They can have a vote, and if it still ends up as a tie, they can try one more time. However, his sense is that the votes aren't going to change. He read aloud RSA 669:63: "Vacancies on the Board of Selectmen shall be filled by appointment made by the remaining Selectmen. Whenever the Selectmen fail to make such appointment, the Superior Court, or any justice thereof, on petition of any citizen of the town, and after such notice as the court shall deem reasonable, may appoint a suitable person to fill the vacancy." He asked Priscilla to call the roll.

Nadeau	Ted Luszey
Massey	Mary Ellen Davis
Maddox	Mary Ellen Davis
Jasper	Ted Luszey

Chairman Jasper said the Board was deadlocked, so unless there is someone who would like to change their vote, they will move forward. If someone petitions the court, the court will make the decision. Until that happens, the Board is always welcome to make another attempt at it, but he didn't think they'd get anywhere tonight.

Selectman Maddox didn't think that was correct. All along, he's said he's had a fallback guy, and he was ready to make that motion because he didn't think they wanted this to go to court for the decision. The four of them should come to a resolution, one way or the other. They are protracted on two good people, but there was one other person who he thought brought some interest and knowledge.

Motion by Selectman Maddox, seconded by Selectman Massey, to appoint Roger Coutu as Selectman, carried by a vote of 3-1. Selectman Jasper voted in opposition.

Chairman Jasper administered the Oath of Office to Roger Coutu at 7:45 p.m. A recess was declared until 7:52 p.m.

## 6. CONSENT ITEMS

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

### A. Assessing Items

- 1) 2007 Abatement, Map 175/Lot 34-26, w/recommendation to approve.
- 2) 2007 Abatement, Map 138/Lot 5-1, w/recommendation to approve.
- 3) 2007 Abatement, Map 138/Lot 15, w/recommendation to deny.
- 4) Veteran Tax Credits (11 Copeland Dr, 5B Doveton Ln, 20A Rangers Dr, 12 Hurley St, 6 St. Francis Pl, 6B Doveton Ln, 711 Elmwood Dr, 14 Mountain View Dr, 127 Fox Hollow Dr); Elderly Exemptions (20 Maple Ave, 1 Pond View Dr, 88 Lowell Rd, 2 Sherburne Rd, 29 Westchester Ct, 2B Doveton Ln), w/recommendation to grant.

### B. Water/Sewer Items

- 1) Sewer Abatement, Ref No. S-08-05, S-UTL-08-12, 16 Joel Path, Acct. 5367, and S-UTL-08-13, 40 Highland Street, Acct. 2533, w/recommendation to grant.
- 2) Sewer Allocation, 16 Scenic Lane, w/recommendation to grant.

### C. Licenses & Permits

- 1) Petition and Pole License for one new pole on Rte 3-A (457/44; License 21-0983) w/recommendation to approve.
- 2) Request to hold fundraiser at Sam's Club on April 12, 2008 in support of Children's Hospital at Dartmouth.

### D. Acceptance of Minutes

Minutes of the Board of Selectmen's Meeting of March 10, 2008

**E. Calendar**

3/26 7:00 Planning Board in CD Mtg. Rm.	4/14 7:00 Conservation Commission CD Mtg. Rm.
3/27 1:00 Trustees of Trust Funds in BOS Mtg. Rm.	4/15 7:00 Cable Committee in BOS Mtg. Rm.
3/27 7:30 ZBA in CD Mtg. Rm.	4/16 5:00 Water Utility in BOS Mtg. Rm.
4/01 7:00 BOS Wrkshop w/Rec Dept BOS Mtg. Rm.	4/16 7:00 Library Trustees in BOS Mtg. Rm.
4/02 8:30 am, Highway Safety Cmt in CD Mtg. Rm.	4/16 7:00 Hudson Seniors in CD Mtg. Rm.
4/02 7:00 Planning Board in CD Mtg. Rm.	4/17 7:30 Budget Committee in BOS Mtg. Rm.
4/07 7:00 CIP in CD Mtg. Rm.	4/21 6:30 School Board in BOS Mtg. Rm.
4/07 6:30 School Board in BOS Mtg. Rm.	4/21 7:00 CIP in CD Mtg. Rm.
4/08 7:00 Board of Selectmen in BOS Mtg. Rm.	4/22 7:00 Board of Selectmen in BOS Mtg. Rm.
4/09 7:00 Planning Board in CD Mtg. Rm.	4/23 7:00 Planning Board in CD Mtg. Rm.
4/10 5:30 Sewer Utility in BOS Mtg. Rm.	4/24 7:30 ZBA in CD Mtg. Rm.
4/10 7:30 ZBA in CD Mtg. Rm.	4/28 7:00 Recycling Committee in BOS Mtg. Rm.
4/10 6:30 Recreation Committee Oakwood Facility	4/28 7:00 Green Team in CD Mtg. Rm.

**7. OLD BUSINESS (None.)**

**8. NEW BUSINESS**

**A. Liaison Reports**

**Selectman Nadeau** said the Rec Committee has been working hard in preparation for next Tuesday night's workshop. The Over 60 Coffee Club meets Tuesday mornings from 9:00 – 10:30 at the Oakwood Facility and are looking for more people. Next Friday night, there's a 5<sup>th</sup> and 6<sup>th</sup> grade dance at the Community Center from 6:00 – 9:00. The following week at the Community Center, there will be a movie night. They have the start to spring signups, the Men and Ladies' softball signups on April 3 from 6:00 – 7:30 and April 5, 10:00 – 11:00 a.m.

**Selectman Massey** said beginning April 14, the construction by Continental for the signalization at the corner of Library and Central will begin. The pre-construction conference was held last week.

This morning, Tom Sommers, the Town Administrator and he met to review the six applications for Town Engineer. They reviewed the six resumes and decided to interview three. Depending on how those go, that's what they will bring to the Board.

Hudson is not bricks and mortar; it's the people. The Hudson Police Department blood drive this past week is a good example of that. The goal was 226 pints; they collected 260 usable pints. It was a town-wide effort; 15 organizations in town made this happen; 17 firms supplied food for the donors; and nine firms provided raffles, give-aways, etc. The support that program has consistently showed is what makes Hudson the town it is.

April 12 is the hazardous collection at the Nashua DPW on West Hollis Street. The first West Road collection is on April 26. Curbside leaf pickup will be on May 3. Through February, they collected a total of 6,503 tons of disposables, of which 4,651 was trash and 1,852 tons were recyclable materials, which represents a 28.5% recycling, which compares last year to approximately 11%. He commended all of the residents for what appears to be a significant cost reduction for the town. That represents \$135,196 in savings and does not include the 60 tons a week they are not seeing in the system right now. For whatever reason, that first month when they saw the 60 tons a week not showing up, it hasn't shown up since. He guessed other towns are now picking up their own refuse.

It's that time of year—the week of April 28 is Volunteer Appreciation Month for the town. The Ice Cream Social has been scheduled for May 1 at 7:00 at the Community Center. He welcomed any and all help from his Board members to make it the success it was last year. He'll be sending out invitations to all the committee chairman to have their various members invited.

**Selectman Maddox** said he didn't have any this evening.

**Selectman Jasper** said the prisoners from the House of Corrections were in town last week and completely repainted the office, break room and locker room areas of the Highway Department and this week, they are painting the plows and sanders to get them ready for next winter. The street-sweeping is going on full time. The main roads and sidewalks have been completed and they were starting the neighborhoods yesterday. The asphalt plants have not yet opened, so permanent street repairs are on hold and the spring cleanup of parks and town buildings has begun.

The Hudson Information Technology Department is currently seeking web assistance from citizens with impairments as IT staff rewrites and reorganizes the town web site. Of particular interest is citizens who use screen readers to text to speech software. Feedback is welcomed from citizens with disabilities who may currently have problems accessing websites for any reason, or require peripheral devices to do so. If anyone is able to assist the IT Department with the BETA testing in the next several months, they are to contact IT Director Lisa Nute at [HUDSONSUPPORT@SERESC.NET](mailto:HUDSONSUPPORT@SERESC.NET) or call 886-6000. Testing would be done in the comfort of one's own internet-connected home.

On the state level, they're waiting for the next Benson's meeting.

Relative to Stop & Shop, he pretty much forgot about that since he dropped off the information to the Governor's Assistant. He received an e-mail from the town attorney last week, so he went in to see where that was and found out that the person he dropped the information off to had left the employment of the Governor, so nothing had happened with that. He spoke to someone else, who is looking for the file and, hopefully, will get back to him. Some things just never go right.

The Budget Committee assignment goes with the term of office of the Selectmen who has it, and so the new Chairman will be able to make the appropriate appointment, he resigned as the Budget Committee rep.

**B. Request to apply for 2008 Assistance to Firefighters Grant**

Fire Chief Shawn Murray and Deputy Fire Chiefs Neil Carter and Rob Buxton were recognized. Chief Murray said they were seeking authorization to apply for the annual Assistance to Firefighters Grant, a Federal Emergency Management Agency program (FEMA). Congress appropriated \$560 million for the FY-2008 program. They are applying for protective clothing and vehicle acquisition--a tanker to replace the 22-year old tanker scheduled for replacement in 2009, FY-2010, as part of the vehicle apparatus replacement program. Tanker acquisition has had the most success when applying for these types of grants. They will request around \$260,000 but are waiting for some final numbers from vendors. Last year, Selectman Maddox was adamant that was the last year they should apply for a tanker and they talked about a Quint—a fire pumper with a ladder on top of it. After looking at the current needs and the benefits a Quint would provide, they decided that because of the apparatus replacement schedule, the history of grants awarded by FEMA for vehicle acquisition, etc., now is not the time to apply for a Quint. With this program, the federal government will pay 90% of the cost for apparatus or protective clothing, with a 10% responsibility by the town. During the budget process this year, the Board allowed them to begin to replace all of their protective clothing, which has reached the 10-year mark and is beginning to deteriorate, so they are going to request a FEMA grant to replace the gear, hopefully, all at once. However, they have the budget as fallback. The approximate cost is \$126,000, with the federal government paying 90% of that. If successful, the town would be responsible for \$12,000.

Selectman Nadeau asked if the \$12,000 was already in the budget. Chief Murray said if this was approved, he'd look to his budget to find that money, but it may be into December or January before they'd know if they get the grant or not. Selectman Nadeau asked if the new tanker they were looking at was a four-seater. Chief Murray said they were going to try to maximize the use of any new tanker, so they would try to make it a pumper-tanker, with a four-man cab so that they can consolidate the amount of water they carry and carry personnel on it.

Selectman Maddox said they've been told fire trucks are going up 5%-8%, but the \$260,000 is the same number they used in '05. Chief Murray said that number was just a place-holder. A better number was \$300,000 or even higher, if they go with a four-man cab pumper-tanker concept. Selectman Maddox said this was his fourth year hearing this and he was tired of it; he wanted the Quint years ago. Four years ago, the Chief told them tankers were the most successful and wondered if the Chief had any backup that showed, over the last four years, that has changed. A number of communities have gotten tankers, but he wasn't sure if it was through this program. So far, they are zero for four with a tanker. At some point, they are going to have to decide if they are going to replace the two commercial vehicles with a front line vehicle. If they are going to go for the Quint, go for the big money one because for four years, they haven't been successful going for the \$260,000-\$300,000 tanker. It would solve a number of issues because the ladder truck is getting older and there will be down time for that; the south end is getting bigger buildings. It's a chance to look at a different option because they don't seem to be having much success. This is the same thing he got in his packet four years ago.

Chief Murray said yes, it has been the same for four years. While the overall grant program is \$560 million, only about \$140 million is used for vehicle awards. There are very few tankers that people put in for \$300,000 but they'll put in \$200,000. FEMA wants to maximize to see that they give the most grants to as many fire departments as possible. They don't give out \$600,000-\$700,000 Quints. Hudson is classified as an urban community and because of the size of the town and budget allocated to the Fire Department... they are looking for departments with a real need. There are many restrictions. Going for a tanker is quite a challenge and, perhaps, they will never get a vehicle from this grant program because of the community's status, tax base and operating budget, but Windham and Pelham got a tanker from the program. There's no guarantees. It is a big program and they want to spread it out. If they keep the price low in the replacement of a tanker, they might be successful.

Selectman Nadeau asked if it would be better to go for an engine with a bigger capacity for water, seeing they could probably use the engine more than a tanker? Chief Murray said that all plays into the apparatus replacement plan that everyone, collectively, has been working towards. If they look at the plan, acknowledging that this constantly changes, based on economic and other elements, in 2012, they'd be looking to replace Engine 1, which is the 1997 emergency one—and this was discussed and why they are considering a tanker and tanker/pumper concept. They told the Board, when they did the apparatus replacement program, that if they can purchase a tanker that would carry additional water on it, have a four-man cab to carry more personnel, that eventually, they may be able to eliminate one of those other ones. But they are restricted on that, too, because when you start getting above 1,800–2,000 gallon tankers, then they have to go to a dual axle. From a safety standpoint, do they want a pumper/tanker running down the roads with a dual axle as a first run piece of apparatus? They are looking at that also. It makes sense to put more water on an engine and give it a dual use. They will attempt to do that with this grant, but they are limited on how big they can go with it. Selectman Nadeau said he noticed they are putting another hydrant on Robinson Road, and water used to be a problem up there. Now that they have the water tank in the south end, there's more fire hydrants, as things get built up down there. He is wondering what they really should be going for.

Chief Murray said significant progress has been made in their water needs by the looping in the south end. There is a plan making its way through to extend that water main and that does help. They will always have a need for a tanker for those areas further

out. They are thinking along those lines; they have to do something. One of the tankers is 22 years old and the other is 19. As Chairman Jasper said a couple of weeks ago, they spent over \$8,000 to rebuild the pump on the 19 year old tanker, which will buy them a couple of years.

Selectman Coutu said he has written and assisted with many grant applications; some were successful, some were not. He asked how many times this grant for this vehicle was submitted to FEMA. Chief Murray said three times. Selectman Coutu asked if the language in the grants had been changed during those three years. Chief Murray said somewhat, but not significantly. Selectman Coutu said considering other towns in the area—Windham and Pelham—which are not dissimilar to Hudson, were successful, did anyone look at their grants? He has found that, when you fail, if you reapply in subsequent years, if you go to those who are successful, or call the funding source, they are not adverse to helping with the language. People review these grants, thousands of pages, day in and day out and it starts to become a blur. Grant applications for municipalities are looked upon more favorably if there is an enhancement in the language to indicate the apparatus would be used regionally—try to change the language to include the regional needs and enhance and expand upon that language, so it's an eye-catcher and not that same old boring information they are looking at over and over again. There's no guarantee in grant writing, but that might make them successful.

Selectman Massey said the letter indicates \$260,000 in grant funding, but the Chief didn't indicate how much he was asking for on the gear. (Talking over each other.) Selectman Massey said \$120,000 and 10%. Chief Murray said yes. Selectman Massey said the total grant would be \$260,000 plus \$120,000 for \$380,000. Chief Murray said no, they are two separate grants. Selectman Massey asked, in the case of the pumper, if the grant was successful, where the money would come from. Chief Murray said the apparatus capital reserve fund. Selectman Massey asked how much money was in there. Chief Murray said \$69,000 after July 1. Selectman Massey suggested the town offer to pay 25% of the grant, which has been done successfully on a couple of highway projects, where instead of the 20% match, the town went up to 30% and the state agreed. Chief Murray said they certainly look at that. Selectman Massey said given that they have the plan on the 22-year old tanker, 25% would be a lot cheaper than having to buy it outright.

Motion by Selectman Massey, seconded by Selectman Coutu, to authorize the Fire Chief to apply for the 2008 Assistance to Firefighters Grant Program through the Federal Office of Domestic Preparedness for the purpose of obtaining funding for replacement firefighting gear and a tanker, w/a 25% match.

Selectman Massey said they've gone after this grant three times and failed, so they should try something different. With the 25% they might just catch their eye enough to grant it. Selectman Coutu said 25% of \$300,000 or more is \$75,000 which is more than what is in the capital reserve. Chief Murray said what they've done very successfully before is to use some unexpended surplus to help offset the cost of something, but they have plenty of time. If they were awarded the grant, it would have to come before the Board for acceptance. Chairman Jasper said with a capital reserve fund, the agents to expend are the voters, so unless there is enough time, it would have to wait until July 1<sup>st</sup> of the following year. Chief Murray said last year, the grant was submitted in April and they were informed they didn't get the grant in July. If this is going to fail early on, they will know about it before they would have to do a warrant article for the apparatus capital reserve. Chairman Jasper said it would not be a problem if it was awarded in December, saying they would not be able to put up their funds for seven months. Chief Murray said that was right; there is a certain window of time to spend it, but he believed it would be within that time frame; he will check on it to make sure.

Selectman Massey said money would be going into that fund in July of this year. Mr. Malizia said the \$69,000 would include that. Selectman Massey said since this money is already in the capital reserve fund, if they were to put in a warrant article next March to cover the cost and it passes, they'd be able to spend it the next day. Chairman Jasper said that was correct.

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

**C. Hudson Youth Baseball Parade**

Town Administrator Steve Malizia said this is an annual event. Last year, it was rained out. They would go from the H O Smith parking lot, down School Street to Library Street to Water Street. Those roads would be closed temporarily while the ball players, coaches and families march. He checked with Fire, Highway, Police and Community Development and they see nothing out of the ordinary with the request. If it rains on April 5, there is no parade. It starts about 10:00 and concludes about noon.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to grant permission to the Hudson Youth Baseball organization to hold its annual parade on Saturday, April 5, 2008 starting at 10:00 a.m. at the Hudson Recreation Center and ending at Lions Field, carried 5-0.

**D. Request by the Girls Non-profit Travel Softball Team to use Community Center on April 19**

Town Administrator Steve Malizia said this group has requested to hold a fundraiser at the Community Center for a Guitar Hero tournament in the afternoon. No alcohol will be sold, or allowed. The hall is available; no other activity is planned on that day.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to grant the use of the Community Center by non-profit Hudson Heat Gold 14U Girls Fast Pitch Team for a fundraiser on Saturday, April 19, 2008 and to waive the rental fee, carried 5-0.

**E. HCTV Policies and Procedures Amendment**

Cable Committee Chairman Mike O'Keefe said they accept requests from Hudson residents to place announcements on the electronic bulletin board that runs on the cable system. A few weeks ago, they received such a request from a resident to post an announcement about Nashua Police Department testing for open positions. Since the announcement met all the criteria of the

current policy, that message was run. Subsequent to that, the Police Chief saw the announcement and he got a little concerned because he was also running an announcement for testing for the town of Hudson. He attended the Cable Committee meeting last week to ask if they had any policies that would restrict messages like that and, at the time, they didn't. The committee discussed it and, with input from the Police Chief, decided it would be in the best interest of the town to amend the policies to include language that states, "If a request is received for a program or similar announcement to HCTV that may contain a potential conflict of interest for the Town of Hudson, such programming will be reviewed by the appropriate town official to verify that no conflict of interest exists before the item is aired." This is what the Chief was looking for and he thought it might apply to other departments in town. If Nashua were testing in the summer, and Hudson wasn't hiring, then he wouldn't have a problem with such an announcement.

Motion by Selectman Nadeau, seconded by Selectman Coutu, to approve the amendment to the HCTV Police and Procedures, to include a Conflict of Interest statement, as recommended by the Cable Utility Committee.

Selectman Massey said when he saw the ad in question, he had the same thought the Chief did, but in dealing with a conflict of interest, it is a murky area because of free speech, freedom of expression and freedom to address and all those other good things that are contained in the First Amendment to the Constitution. He didn't know how this could be enforced, especially if the individual wanted to put it on the public channel, as opposed to the government channel. He didn't know how they could make this work and, therefore, would be inclined not to support it.

Mr. Coutu said he saw both of the ads, as well, and was pleased about it. Any employment opportunities that are available in the southern NH region should be advertised and made known throughout the region. Cable television is the up and coming thing, especially local programming. People tell him they don't watch it intently, but they flip through the channels and something might catch their eye that might interest them; in this case, a job posting. He favors the idea of placing more ads that offer opportunities, regardless of the community. If they are making the opportunity available to Hudson residents, they should let them know the opportunity is there. They might want to explore, however, the channel it is broadcast on. Mr. O'Keefe said any requests that come in from the public get put on the public channel; that announcement ran on Channel 20, which is the public channel. The announcement from the Chief ran on 22, which is the government channel.

Selectman Nadeau agreed with Selectmen Massey and Coutu. Maybe they should run Hudson's ad on both channels. Selectman Maddox agreed this was unworkable. Town residents should get the option of choosing another police force, if they so desire.

Chairman Jasper said it would be interesting to know what Nashua's policy would be. Mr. O'Keefe said the Chief said he contacted people from Nashua to see if they'd run Hudson's announcement and he wasn't successful—and he is a Nashua resident. Chairman Jasper said what's good for the goose is good for the gander. Secondly, it's the Hudson rate payers who support 100% the efforts that go into providing cable TV, not the Nashua PD. As a matter of constitution, they don't have any obligation to run anything. Where do you stop? What if people from Washington state wants to put something on? It ought to be a pretty simple policy that Hudson residents can put announcements on, having to do with the Hudson community, period. Anything on that TV that the taxpayers pay for should be relative to the town of Hudson, but he is the lone voice on that and, apparently, no one cares whether they are going to be reciprocated in other communities or not.

Vote: Motion failed, 1-4. Selectman Jasper voted in the affirmative.

Mr. O'Keefe said they do have some requirements. It has to come from a Hudson resident; it can't just get shipped in by anyone, and it has to be non-public in nature. Mr. Coutu asked if, with regard to Nashua, it would be appropriate for the Chairman or the Chairman of the Cable Committee to write a letter to the Nashua Cable Committee, asking them to give a reason why they are not willing to reciprocate, or not allowing Hudson to post its jobs, or whatever it wants, because most communities do. He's familiar with a few communities and how they operate their cable systems. He served on the original Lowell cable commission and knows most policies are identical in terms of a town citizen requesting something to be put on, unless it's pornographic in nature, if it has any value to the community, it is shown. The Hudson, NH Selectmen's meeting would be shown on TV in a Massachusetts town if one citizen of that town requests it. He'd be interested in learning why the Chief's request was denied. Chairman Jasper said the new Board Chairman would be free to do that, at the Board's direction. They could bring it up under Other Business, if they'd like.

**F. Resignation of Cable Facilitator and Compensation for Committee Members**

Cable Committee Chairman Mike O'Keefe said the Board recently had a discussion on whether or not they should change the policy of not allowing compensation by paid to committee members when they perform HCTV duties. While the committee agreed there isn't a real conflict of interest, they felt there could be a perceived conflict of interest from the public. Since the amount of times that would come up would be minimal, they didn't think it was worth the effort of adjusting the policy, so they recommended the Board continue with its policy of committee members not being paid to do any HCTV work. At the last Cable Committee meeting, they received the resignation of the cable facilitator. As a result, those duties need to be fulfilled until a replacement is found. He recommended letting Leo Bernard, Vice Chairman of the Cable Committee, to assume those duties. He has done them on a volunteer basis in the past, to some extent, when Jim McIntosh was out of town or unavailable. Leo knows what is involved and is capable of doing them, in the interim. They were also recommending that while he is doing those duties, he'd be paid the facilitator's rate. Since that would go against the current policy, he was also suggesting that Leo be temporarily suspended from the committee during that period so that would remove that conflict of interest. At some point, they will go through the process of trying to hire a permanent replacement, which was his recommendation to the Board.

Motion by Selectman Massey, seconded by Selectman Nadeau, to acknowledge the resignation of Cable Facilitator Jim McIntosh, with the Board's thanks and appreciation.

Selectman Massey said he'd miss Jim. In the time he has been the facilitator, there has been a marked increase in the services. The Cable Committee has also been a big factor in that, but Jim has done a lot to bring the services of that system to where they are today. Selectman Maddox said he echoed those remarks, but was troubled. He hoped they make the same offer to this employee as they have to others. Chairman Jasper said this was not an employee; he was a contractor, and they should not confuse the two. Selectman Maddox said this contractor should be given an exit interview to facilitate this Board being able to find if there is something it did wrong that could be corrected in the next person. He is amazed they were able to get this gentleman. To lose such a person with his likeability factor will be tough to fill. They should find out if there is a problem they need to fix and not just let this person walk away.

Selectman Coutu said Jim has been a friend of his for some time, and is privy to some information. He, too, as a citizen and a new Board member, truly appreciates the work that Jim has done for cable television. Selectman Coutu said he served on the original cable commission for Lowell, he can appreciate the amount of work that goes into serving on a committee, just to bring cable television into a community, and he can appreciate the conflicts they've been through, as a town, with regard to Comcast versus Verizon—after Verizon went around his neighborhood and convinced them to hook up to Fios and then they sold the whole thing. He appreciates what Jim has done for Cable television. He is a very knowledgeable man and brought a lot of talent with him. One of the reasons why Jim is leaving is that, with his talent, as a private contractor, he can make a lot more money—but he did like working for the town of Hudson. He agreed with Selectman Maddox that an exit interview was in order to get firsthand information of what the Board can do to correct any of the deficiencies Jim may have found in working with both the Board of Selectmen, if any, and with the Cable Committee, if any.

Vote: Motion carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Maddox, to reaffirm the Board's policy that a member of the Cable Committee not be paid for performing any HCTV duties, carried 5-0.

Motion by Selectman Massey, seconded by Selectman Nadeau, to temporarily suspend Leo Bernard's position on the Cable Utility Committee and appoint him as Interim Cable Facilitator at the rate of \$23 an hour until a replacement is hired.

Selectman Massey asked if Mr. O'Keefe was going to start seeking a person now. Mr. O'Keefe said they got caught off guard because the facilitator's resignation wasn't received until the end of their meeting last week, so the committee hasn't had a chance to discuss it, but he thinks they would go through the same process they did initially—advertise the position and interview potential candidates and then make a recommendation to the Board. Selectman Massey asked if the motion passed, if the Cable Committee's intention was to supervise and sign off on all time sheet submissions. Mr. O'Keefe said they could do it that way. The way it currently works is the facilitator submits his time sheet to the committee chairman, who signs off on it and submits it thorough the normal purchase order process, which is signed off on by the Town Administrator, as well. Selectman Massey said that process was fine; he just wanted to be assured that Mr. O'Keefe would continue to provide the supervision and oversight.

Selectman Coutu asked what the backup plan was, if the motion failed. Mr. O'Keefe said he and Leo would probably manage it on a volunteer basis. Selectman Coutu asked why accepting a temporary resignation from a member of the committee, and putting him into a contractual position, would be any less of a conflict of interest. What makes this any less culpable than if he continued to serve on the Board? If the Board accepts a temporary resignation, the intent is to put him back on the committee. Mr. O'Keefe said this way, he'd no longer be a voting member of the committee. He would be able to attend the meetings, just as the current facilitator does so he could discuss things. Not being a voting member would eliminate the conflict of interest.

Selectman Maddox asked how long it would be before they have a facilitator. Mr. O'Keefe didn't think it would be longer than three months. Selectman Maddox said it's not a temporary resignation, it's a temporary suspension and he's never heard of the Board suspending a member from a committee. Putting lipstick on a ladder is still a ladder. He thinks that Mr. Bernard needs to resign from the Cable Committee. He didn't have a problem making him the temporary facilitator, but that takes them away from the perception or real conflict because suspended? He didn't even know if they can do that. If Mr. Bernard resigns as a member of the Cable Committee—and he's sure he will be reappointed—but at least he has broken, he is not a voting member—with suspension, he didn't know where that would get them. He could not vote for this motion.

Chairman Jasper said he would not support the motion. The Cable Utility is the Board's creation, so they could approve the suspension, but he's not comfortable with that. If Mr. Bernard wants the paid position, he should resign and the Board would not advertise for a new member until such time as a facilitator is hired and give him the opportunity to apply with everyone else. Also, they had a contract with someone who came with certain qualifications, and the Board agreed to pay him \$23 an hour—and he didn't believe Mr. Bernard has those same qualifications. When they hire a temporary firefighter, they don't hire them at the same rate as the person who left the position. Unlike a temporary firefighter, who has all of the qualifications, Mr. Bernard does not necessarily have those qualifications and, therefore, whatever rate he is paid, it should be substantially less than the person who came eminently qualified. He was thinking in the range of \$15 per hour. He asked if the Selectman who made the motion wanted to amend it. Selectman Massey said when Mr. McIntosh was hired, it was at \$20 per hour, which was increased to \$23. The reason the Board set the rate at \$20 was because of the qualifications required. An interim person does not rise to that level. He, therefore, withdrew his motion; Selectman Nadeau withdrew his second.



Motion by Selectman Maddox, seconded by Selectman Nadeau, to appoint a temporary facilitator at a rate of \$18 per hour, contingent they are not a member of the Cable Utility, and that the Town Administrator will modify the contract agreement, as appropriate, and that the Chairman is authorized to sign the contract on behalf of the Board of Selectmen.

Selectman Maddox said they could haggle over the dollar value. He may not have all of the qualifications, but if he's going to do 90% of the job, he should get 80% of the pay. They need to be realistic. They are asking him to fill a void and he didn't want to haggle over nickels and dimes, but he should not be a member of the Cable Utility. There should be a separation and not a temporary suspension. Chairman Jasper asked if the intent was to have a modified contract, since this is a contract position, to reflect that it is an interim position until such time as the Board of Selectmen successfully negotiated a contract with a facilitator. Selectman Maddox said that wasn't his intent. By the time they get through with all of the legalese to get this done, hopefully, they will have a facilitator. Chairman Jasper wasn't sure how they would hire a contract employee without a contract. Mr. Malizia said it wouldn't take much to change the contract—put the word interim in and change a few of the dollar figures, add the effective date and some language that says upon the appointment of, or June 30, whichever is first, the contract terminates. Selectman Maddox said agreed, saying he'd amend his motion to reflect the existing agreement will be modified by the Town Administrator. Chairman Jasper suggested the language to amend the motion, to which Selectman Maddox agreed.

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

**G. Specialty Kitchens Timeline**

Chairman Jasper said the town has taken a great deal of heat of late over Specialty Kitchens' site plan and he felt it was important for the Board to have a discussion about this because the town clearly looks like bad guys going after a small businessman. Selectman Massey said this discussion was not an attempt to usurp or circumvent the powers and duties of the Planning Board. Chairman Jasper said it certainly was not. Since the town was being taken to the woodshed, he thought it was important to go over what has transpired. In June of 2002, the site plan was approved by the Planning Board. Among the conditions imposed included the phrase, "No cash and carry retail sales." On August 4, 2004, the foundation permit was issued. On November 23, 2004, the building permit was issued. On October 13, 2005, the occupancy permit was issued for Specialty Kitchens' operations. In July 2006, the building permit was issued for Phase 2, which was the interior fit-up. No evidence was supplied to indicate that there would be a cash-and-carry use proposed for this unit. The application specifically indicated, "display area and storage." On September 14, 2006, the occupancy permit was issued for Phase 2, display area and storage. At no time did any member of the Community Development Department staff advise Scott Dionne of Specialty Kitchens that a cash-and-carry retail sales operation would be permitted at 4 Hudson Park Drive. On October 11, 2006, the Code Enforcement Officer sent a violation letter to Specialty Properties to advise that there was a cash-and-carry retail operation taking place at 4 Hudson Park Drive, in violation of an approved site plan. Scott Dionne subsequently met with John Cashell and Sean Sullivan. Mr. Dionne was advised to put a request for a cash-and-carry retail use in writing and John would take this request to the Planning Board for a determination. The Planning Board discussed the request for a cash-and-carry retail sale operation and voted to require submittal of a new site plan for property at 4 Hudson Park Drive. On November 17, 2006 the Code Enforcement Officer sent Specialty Properties a second violation notice. At this point, the project Engineer requested meeting minutes and the former Associate Planner provided information to the Engineer. The project Engineer spoke to Sean Sullivan several times and indicated he would file a new site plan. Having received no revised plan, the Code Enforcement Officer sent Specialty Properties a final violation notice on May 7, 2007. Ultimately, on September 7, 2007, the town of Hudson filed a complaint with Nashua Superior Court to seek compliance with the approved site plan. After receiving a notice from the court, Scott Dionne (on behalf of Specialty Properties) again contacted the Community Development Department and was advised to supply a new site plan to the Planning Board for consideration. On January 15, 2008, a hearing was held in Nashua Superior Court, where the judge gave Scott Dionne until February 22, 2008 to submit a new site plan application to the Planning Board. Finally, on February 29, 2008 a new site plan application for Specialty Kitchens site was received by the Community Development Department. A public hearing is scheduled before the Planning Board on March 12, 2008. The record shows that the town has acted reasonably and has given the applicant more than enough time to come into compliance and work with the town to solve the problem. He wanted the record to be clear that the town has not been going after a little businessman. He has reviewed the site plan himself, and the building permit, to indicate there is no way that the town of Hudson could have known that a second business was planned for that location. He was in total support of the way the town has behaved in this situation.

Selectman Maddox said he was at the Planning Board meeting when this came before them and it's going through the process. It's a difficult one. They don't want to punish a business. They also have people who have made agreements and now the balancing act begins. The Planning Board has its work cut out for it; they need to sort it all out. They did what they were supposed to do.

**H. Request for Sunday Work by PSNH at 19 Power Street on April 6, 2008**

Town Administrator Steve Malizia was recognized and said Mr. Snow from PSNH was present, in case the Board had any questions. The request was to work on the substation located on Power Street on Sunday, April 6 between 8:00 and 7:00. They were seeking a waiver to the Town Code, which prohibits this. Mr. Snow distributed a copy of the area in question.

Selectman Massey asked if PSNH was asking for a waiver because they were going to be working in the wetlands buffer and wanted to do it before the ground thaws. Mr. Snow said no, that issue was on the Planning Board's agenda tomorrow night. This is taking a power line from the Hudson substation and rerouting it to the new substation at the top of the hill. There were a few structures they couldn't install because they are under existing power lines, so it wasn't safe. Because of the amount of work to do, they moved their outage to start on Saturday instead of Monday. They were requesting the additional time to be able to complete the work by the next Saturday.

Selectman Maddox said ZBA members who were here earlier mentioned to him that with the wetlands-whatever, there was no Sunday work. Chairman Jasper tonight' issue was not wetlands work, so it was unrelated to the ZBA application. Mr. Snow said he will be here tomorrow night, requesting permission to put some additional anchors in a wetland buffer on the north corner. Selectman Coutu asked if they were talking about one Sunday and how many abutters were affected. Mr. Snow said yes and estimated about 50.

Selectman Massey asked if they are going to be cutting over from the existing towers. Mr. Snow said yes. Selectman Massey asked if this was one of those operations where once you start, you have to complete it. He asked what the downside was, if they didn't work on Sunday. Mr. Snow said it doesn't necessarily mean they couldn't finish by the next weekend, but it hedges their bets if they can work on Sunday. Also, they can't predict that the weather will be nice eight or nine days in a row.

Selectman Maddox said any abutter that is on the abutters' list from the ZBA or the Planning Board gets a notification. This is something that has to be done and it's only a matter of one day. Hopefully, that will complete it. PSNH is working with the town on the Lowell Road sidewalk; that is becoming an ordeal. Mr. Snow promised they'd get that finished. Selectman Maddox said he wouldn't be this nice tomorrow night at Planning Board, but thought this was a reasonable request.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to waive Chapter 249-4 I (1) of the Town Code to allow PSNH to work on Sunday, April 6, 2008 at the substation located at 19 Power Street and further, that PSNH provide prior written notice of intended Sunday construction to abutters of the Power Street substation.

Selectman Massey said if the site plan said no work on Sunday, would invoking this section of the ordinance usurp the Planning Board's power? Chairman Jasper said the short answer is yes. Selectman Maddox said they could address that tomorrow night at the Planning Board meeting. He will talk to the Community Development Director and find out what it does say. Mr. Snow said it says Monday through Saturday, seven to seven. Selectman Maddox said he thinks the Planning Board will go along with it because PSNH is working on some other issues with the town. In fairness, the Selectmen should do their part.

Vote: Motion carried, 5-0.

**I. Request by the Planning Board to expend \$3,000 from the Planning Board's Expendable Funds to contract with a Landscape Architect relative to revising the Landscape Regulations**

Selectman Massey believed the Planning Board's discussion that night was mixed, but the majority voted for it. He wonders if it's requiring too much for the amount of effort required. It seems like overkill to require a licensed landscape specialist to stamp every site plan that comes to the Board. Chairman Jasper was against this—about the only time he gets to speak on the Planning Board's overkill regulations on things like this. They have taken away people's property rights. They require a percentage of green space, which is fine. When it's necessary, they require screening, which is fine, but a property owner ought to be able to determine the landscaping on his property, which he pays taxes on and has to maintain. If somebody wants to have all grass on their 20%, that is their right. He's seen where they want this type of tree here and that type of there, etc. That's not where they should be going with their site plans. Their concern should be safety, parking—esthetics, in general, but what is beautiful to him might not be beautiful to someone else. Sometimes, he likes to look at nice, lush grass without anything in its way. He has seen aerial views of Hudson when there weren't trees anywhere down Lowell Road, just open fields and the building. He thinks that is tremendously attractive. This is way beyond where they need to go. Selectman Maddox said he voted against this at the Planning Board meeting, which he anticipated would be the Board of Selectmen's view on this issue. This should be deferred until the Selectmen have their joint meeting with the Planning Board. Spending \$3,000 to upgrade the landscaping is not the best use of everybody's money. The Planning Board will be upset tomorrow, but he will take it. They have a site plan landscape guideline that they get from NRPC that's about 120 pages that outlines most of this, so the \$3,000 is ill spent.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to defer this until after the Planning Board meeting.

Selectman Massey asked if the motion was that no money could be spent until after the Board meets with the Planning Board. Selectman Maddox said yes, it was.

Vote: Motion carried 5-0.

**J. Election of Board of Selectmen Chairman and Vice-Chairman**

Selectman Massey nominated Selectman Maddox as Chairman, then said Selectman Maddox didn't seem like he wanted to do it. Selectman Maddox said no, it wasn't that; they need to have a discussion. They started down a path where everybody gets a turn and he was having concerns about that. Chairman Jasper said it wasn't a Board policy, but what he had said was that he felt the Board should rotate, period. The same person should not be chairman two years in a row, and that is his position. In spite of being declared king, he didn't wish to have that mantle.

Selectman Maddox nominated Selectman Nadeau. Chairman Jasper asked Selectman Maddox if he was declining the nomination. Selectman Maddox said no. He wanted to hear from Selectman Nadeau why he should be chairman. He was torn; it should be a job where you've had some experience doing, but he wanted to be fair.

Selectman Coutu said Selectman Maddox has had experience and has done it before, but there is a first time for everything and for everybody. There are people on the Board who have served as chairmen of various committees on a Board similar to this. and they should afford Selectman Nadeau the opportunity to tell the Board why he would like the position and why he feels he can handle it. Selectman Nadeau said he believes he can do a good job as chairman. He has held positions in other organizations

as president and vice-president. He was the Vice Chairman this year, but didn't get too much experience as Chairman. Chairman Jasper said Selectman Nadeau told him that he would take the position of Vice Chairman on the condition the Chairman would never miss a meeting, and he never did.

Roll call for Chairman:

Nadeau	Nadeau
Massey	Maddox
Maddox	Abstained
Coutu	Abstained
Jasper	Nadeau

Chairman Jasper declared Selectman Nadeau as Chairman for the ensuing year, effective at the conclusion of tonight's meeting.

Motion by Selectman Massey, seconded by Selectman Coutu, to make the nomination unanimous failed 4-1. Selectman Maddox said he would still abstain.

Selectman Nadeau nominated Selectman Maddox for Vice Chair, which carried 4-1. Selectman Maddox abstained.

9. **OTHER BUSINESS/REMARKS BY THE SELECTMEN**

**Selectman Nadeau** thanked the Hudson Chamber for a good evening and dinner, with the Small Business of the Year Valentino's and the Large Business, SAM's Club--and congratulated them. Max Mahoney and Mike O'Keefe were the Junior Citizens of the Year and they each received a scholarship. The Rodgers Brothers being Citizens of the Year and he congratulated them for that.

**Selectman Massey** said he didn't have anything.

**Selectman Maddox** said he didn't have anything.

**Selectman Coutu** expressed thanks for this opportunity; he was humbled by the vote. He was asked by the press if it bothered him that he was the third nominee, and it certainly didn't. He looks forward to working with the Board members, to make this a much better town to live in and to solidify the tax base. He promised the citizens of Hudson that he will not come to meetings with a pre-determined agenda or with a vote in mind that he is going to take, without first giving anyone who wants an opportunity to come before the Board to explain their reason for their position so that he can make an intelligent and sensible vote on any matter that comes before the Board. He's very sensitive to the needs of the people and he wants them to feel comfortable in knowing they can always come before this Board. He will listen to everything they have to say before he makes a final decision on any matter. He looks forward to this year.

**Selectman Jasper** said he voted for Selectman Nadeau over Selectman Maddox because he was told many years ago, never vote for someone who won't vote for himself. He congratulated Selectman Nadeau and wished him well in his ensuing year. He thanked the Board for the privilege of having served as Chairman for the second time in his life. The first time was in his first year as a 25-year old newly-elected Selectman, back in 1984--probably the only person to ever serve as Chairman with such a span in between on the Hudson Board of Selectmen. He didn't know if he'd make it another 24 years or not, but he'd see.

He asked the Board to consider holding a public hearing on the use of the surplus that should be left in the solid waste budget. The purpose of the public hearing was to determine if people would rather have that money go into surplus or into the streets, which have taken one hell of a beating this year and everybody's cars are taking a pounding. Steve is putting together the numbers to show what the impact would be for the average homeowner. Kevin has already sent him a draft of what he is planning on paving in the next year's budget and what he would be able to pave in this year's budget. He asked the Fire Chief to comment on what the streets are currently doing to his apparatus, which probably take more of a beating than anything else, due to the weight and size of them. There has been some concern and feeling they ought to put the money back. He's willing to do that, but felt it might be more appropriate to listen to what the residents have to say. He suggested holding the public hearing on April 22, the last meeting on the month, so they'd have a better handle on what is available. They would be able to tag this on to the existing contract with Brox at the same rate as last year's. Kevin has indicated they are probably looking at a \$5 or \$6 increase per ton in the next contract for asphalt. They'd be able to get more bang for their buck if they do this now.

Selectman Massey so moved, seconded by Selectman Coutu, to hold a public hearing on April 22 relative to the use of the surplus left in the solid waste budget.

Selectman Nadeau said he was confused. They had said they were going to return it to the taxpayers. He looks at it as returning it to the taxpayers, a one cent or two cent difference next year, or whether they just buy the asphalt at this year's prices, pave the roads, stop taking the abuse on all of the cars and vehicles, but he'd also like to hear what the people would have to say at a public hearing, so he will vote for this. Chairman Jasper said they didn't expect to have any money left in this year's solid waste contract. Kevin thought they might, but it was the previous year they said the money was going back to the taxpayer. There was no promise because they didn't know if there would be any savings or not. Dealing with \$300,000, given the economy, it would behoove them to hear what people have to say. If they pass this, the information should be put on Hudson Cable TV and allow people to e-mail them their thoughts and comments so they don't necessarily have to come down to the meeting. He requested that of the new Chairman--see that the information be put on cable TV and on the web.

Vote: Motion carried 5-0.

10. **NONPUBLIC SESSION**

Motion by Selectman Maddox, seconded by Selectman Massey, to enter nonpublic Session under 91-A:3 II (a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected has a right to a meeting and requests that the meeting be open, in which case the request shall be granted; (b) The hiring of any person as a public employee, carried 5-0.

Nonpublic Session was entered into at 9:45 p.m., concluding the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board’s next agenda. Open session was entered into at 10:30 p.m.

Motion by Selectman Nadeau, seconded by Selectman Coutu, to hire Alison Shupe and Lisa Terwilliger as Tennis Instructors at \$13 per hour, James Stanton as substitute Tennis Instructor at \$10.50 per hour, Kimberly Malley as Summer Program Director for \$5,400, effective June 1, 2008; Thomas DeAngelis as Babe Ruth Baseball Director for \$600 and Cindy Holton as Ladies League Softball Director for \$600, effective April 1, 2008, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman Massey, to hire Matt Petrovic as Web Design Intern in the IT Department, effective 3/30/08, at \$14 per hour, not to exceed \$4,000, as recommended by the IT Director, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman Massey, to extend the probationary period of Firefighter Glen Bradish to 9/4/08, as recommended by the Fire Chief, carried 4-1. Selectman Maddox voted in opposition.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to hire Corey Morin as Call Firefighter, a non-exempt position w/an hourly rate of \$7.50, effective 4/1/08, as recommended by the Fire Chief, carried 5-0.

11. **ADJOURNMENT**

Motion by Selectman Maddox, seconded by Selectman Nadeau, to adjourn at 10:31 p.m., carried 4-1. Selectman Massey was opposed.

Recorded and transcribed by Priscilla Boisvert  
Executive Assistant

**HUDSON BOARD OF SELECTMEN**

\_\_\_\_\_  
Shawn N. Jasper, Chairman

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Benjamin J. Nadeau, Vice-Chairman

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Kenneth J. Massey, Selectman

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Richard J. Maddox, Selectman

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Roger E. Coutu, Selectman