

HUDSON, NH BOARD OF SELECTMEN
Minutes of the December 18, 2007 Meeting

1. **CALL TO ORDER** by Chairman Shawn Jasper at 7:03 p.m. on the Selectmen's Meeting Room at Town Hall.

2. **PLEDGE OF ALLEGIANCE** was led by former Selectman William P. Cole.

3. **ATTENDANCE**

Selectmen: Shawn Jasper, Ben Nadeau, Ken Massey, Rick Maddox & Doug Robinson.

Staff: Others: Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Police Chief Richard Gendron; Lt. Bill Avery; Sgt. Tad Dionne; Fire Chief Shawn Murray; Deputy Chief Rob Buxton; from the Senior Council on Aging, Lucille Boucher and Jim Stafford-Rogers; Bill Cole; Michelle Champion; Jim Battis; Norm Martin; Susan Gould; Linda Kipnes; Jean Serino; Linda Zarzatian; Dean Sakati; Mike L'Italien; Kathleen Leary; Tom Tollefson, HLN; Ryan Halliday, TEL

4. **PUBLIC INPUT**

In the recognition of 20-year Employee Priscilla Zakos of the Highway Dept., Chairman Jasper read the following into the record:

Priscilla Zakos started at the Highway Department in December of 1987 and presently holds the position of Administrative Assistant. Priscilla is the only full-time office person at the Highway Department and is responsible for running the office, which includes--but is certainly not limited to--preparing payroll, assisting with budgets and tracking costs. If you have ever called the department, you have probably spoken to her on the phone. Road Agent Kevin Burns is often heard telling people, "Priscilla really runs the Highway Department; they just let me have the title." He states he would be lost without her. Priscilla is long time Hudson resident. She and her husband, Byron, have three children, two grandchildren, with a third one on the way.

Chairman Jasper asked if anyone in the audience wished to address the Board on any issue at this time.

Leo Bernard, 8 Bungalow Ave. asked if the Selectmen would consider changing their policy on not paying members of the Cable Committee to tape various shows. Chairman Jasper thought this should be run by the committee first to determine if there were any policies or procedures in place on that end. He thinks this should be able to be done, in certain situations, but wanted a little more on the table to look at. He didn't mind looking at the issue because some of them put in a tremendous amount of time and it's not always reasonable to expect people to volunteer so much time to do the tapings and some of the other activities that happen.

Selectman Robinson asked about the policy of exempting Cable Committee members from being paid. Mr. Bernard said it was something the Selectmen decided, that no committee member could be paid. He didn't think it was in the Cable Committee's bylaws. Selectman Robinson asked if Mr. Bernard was asking that if committee members were working on a taping of a show or athletic event, that they be allowed to be paid for doing that. Mr. Bernard said yes. He was approached by someone who wanted Alvirne hockey games to be taped, and other sports groups would like their events tapes, too. He told them he'd show them how to use the equipment, but they want him to do the taping. Selectman Robinson said they are currently looking for two committee members. Mr. Bernard said yes, they lost one good member. Selectman Robinson said the Board has announced that if community organizations want to tape their event, Cable TV would loan them the tools to do the job, at no cost to them.

Selectman Maddox said he'd stick with his original policy—and there is a solution. If Mr. Bernard is not reappointed, he'll be able to be a paid employee. Once they start paying volunteers, it's an ugly trail. Mr. Bernard said he understands Selectman Maddox's feeling, but they were talking about two different things—being on the committee was one thing, and doing taping was something else. He enjoys providing his input by being on the committee.

Chairman Jasper thought it was important for the committee to look at this issue and also check on the policy of some of the surrounding towns. He agrees that the responsibilities are separate. There is the issue of running the programming, and then actually going out and doing the taping. The problem would be if there was an over-abundance of people wanting to serve on the Cable Committee, then Leo could withdraw so he could be paid, but they don't have enough candidates to fill the seats. Selectman Maddox said the membership was increased last year to accommodate those who applied.

Chairman Jasper said Mr. Bernard should bring this back to the Committee and see what the policy is in other towns. There needs to be some fairly narrow times when he would get paid. Selectman Massey said he's always willing to look at things, but agrees with his esteemed colleague, that there are other boards who spend significant amount of time in a volunteer aspect, not just for the times they spend at their meetings--referring to the Zoning Board and Planning Board—so this is a slippery slope. Unless something is really different, he would not be disposed toward changing the original policy. Mr. Bernard thanked the Board and said at least now he knows the direction in which to go.

Linda Zarzatian, 4 Bruce Street, said she was present on behalf of her neighbors in the Bruce Street-Linda Street area to support Bill Cole's reappointment as alternate to the Planning Board. They'd very much like to have him on the Planning Board because of his honesty, integrity, experience and everything they've experienced with him in the past. This is a busy time, and she is the only one who could come, but they've very much like him to be on that Board.

Dean Sakati, 11 Fairway Drive, spoke in support of reappointing Bill Cole as alternate to the Planning Board, saying the town needs him on the Board. He's known Bill for 20 years and they need his commitment to the community, his vast professional experience that he has from the military and beyond in his capacity in which he has served Hudson. They need his demonstrated leadership and the loyalty he has shown to the town and its underlying principles. They really need the courageous position-taking he has always shown. He is provocative in his questioning and that has only helped move the town forward.

Mike L'Italien, 6 Birdie Lane, said he was also present to support Bill Cole. They need his leadership and common sense in a time when the Planning Board is coming across some very important decisions in the future.

Kathleen Leary, 8 Par Lane, said she was present to support Bill Cole. He has been an active member of the community. He is dedicated and always prepared for meetings. He may have different opinions at different times, like all of them; they are all human. Everyone comes to the table with different ideas on things, but that's what makes politics and democracy work; everyone has different ideas and they need to listen to everybody. The main thing they need to look at is his dedication and the fact that he is capable, he's always prepared and he has the interest of Hudson well at heart. (Applause)

Chairman Jasper read into the record the following letter from Ed Thompson in support of Bill Cole's reappointment.

Although I wanted to be at tonight's meeting, my company Christmas party was scheduled for the same night. My reason for writing is to request your support of William Cole for the position of incumbent alternate to the Planning Board. Bill's unwavering dedication to our town is obvious, having served on numerous boards and committees over the years. His knowledge and background working with departments within town hall and the surrounding region make him especially well qualified to continue serving in his current role on the board. Obviously, the Chair has had differences with Mr. Cole over the years on various issues, in particular the current re-development proposal of the Green Meadow Golf Courses. I know that Bill's concerns over the size and nature of the W/S site plan were shared by other members of the Planning Board, Conservation Commission and many residents as evidenced by the outcome of that plan. I can assure you that Bill has the town's best interest at heart and I consider his participation invaluable to all projects coming before the Planning Board. Bill is an intelligent, diligent and committed citizen of our town. He deserves our respect and support at this time. As a resident I ask you to please do the right thing and reappoint him. Thank you for listening. Sincerely, Ed Thompson

5. NOMINATIONS & APPOINTMENTS

A. Building Board of Appeals (3 members--2 terms to expire 12/31/10 and 1 term to expire 12/31/09)

- 1) Jay Gove (incumbent member) had another commitment and was unable to be present.
- 2) Bill McInerney (incumbent member) said he'd accept reappointment to help fill another vacancy.
- 3) Michael Pitre was interviewed on the 11th.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to re-appoint Jay Gove and Bill McInerney to the Building Board of Appeals, terms to expire 12/31/10, carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Robinson, to appoint Michael Pitre to the BBA, term to expire 12/31/09, carried 5-0.

B. Cable Committee (3 members--2 terms to expire 12/31/10 and 1 term to expire 12/31/09)

Leo Bernard (incumbent member) was interviewed on the 11th.

Motion by Selectman Maddox, seconded by Selectman Robinson, to re-appoint Leo Bernard to Cable Committee, term to expire 12/31/10 carried 5-0.

C. Conservation Commission (3 members, terms to expire 12/31/10; 2 alternates, terms to expire 12/31/09 & 12/31/10)

- 1) James Battis (incumbent member) said he's been on the Board for about 15 years, probably because of the big paycheck that keeps him coming back. He enjoys the work that they do to, hopefully, improve the town.

Selectman Maddox said this is a board that works in the background, but makes a great big difference in what Hudson looks like. The Planning Board and ZBA take the input from this group that toils, kind of like those mushrooms, but absolutely has made a difference in what happens and what will happen in Hudson, so he applauds these people that are willing to come back.

- 2) Michelle Champion (incumbent member) said she's been on the Board for a few years now and debated on whether or not to come back. She thinks they have a really good Conservation Commission right now. Sandra Rumbaugh developed a good list of goals for the next couple of years, so that swayed her, so she'd like to stay with it a couple more years and see if they can accomplish some of those goals. The real kicker was when Selectman Massey said the Board of Selectmen wanted the Conservation Commission to attend a workshop. She couldn't get off the Board when this event was going to happen.

- 3) Ken Dickinson (incumbent member) was working late and unable to be present.
- 4) J. Helene Wherry was not present.

Motion by Selectman Nadeau, seconded by Selectman Massey, to re-appoint Jim Battis, Michelle Champion and Ken Dickinson as members of the Conservation Commission, terms to expire 12/31/10, carried 5-0.

D. **Energy Committee (the Green Team)** (3 members, 1 term to expire 12/31/08 and 2 terms to expire 12/31/09)

- 1) Glenn Della-Monica was still on vacation.
- 2) J. Helene Wherry was not present.
- 3) Kevin C. Kuhns **was interviewed on the 11th**.
- 4) Gordon Osgood (incumbent member) was told he didn't need to come back when he was appointed in October.

Motion by Selectman Massey, seconded by Selectman Robinson, to re-appoint Gordon Osgood to the Green Team, term to expire 12/31/09, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman Robinson, to appoint Kevin Kuhns to the Green Team, term to expire 12/31/09, carried 5-0.

E. **Nashua Regional Planning Commission** (1 member, term to expire 12/31/11; 1 alternate, term to expire 12/31/11)
Suellen Quinlan (incumbent member) was interviewed on the 11th.

Motion by Selectman Maddox, seconded by Selectman Massey, to re-appoint Suellen Quinlan to the NRPC, term to expire 12/31/11. **Selectman Maddox said at some point during the transition, the Selectmen's rep to NRPC is not a member, is kind of like an alternate, and he wondered if that was the Board's intent, to have the Selectmen's rep not to be a member of the NRPC. He had Steve look into it and somewhere he was the member when he was on the Planning Board, but somehow or other, because these are four year terms, he thinks something got out of cycle. It's not a big crisis, but something that they need to be made aware that's the case. He always thought they had four members, one being the Selectman and three alternates, but it's actually the other way around, according to Steve's memo. Chairman Jasper said perhaps next time there is a vacancy, they could do that, but he didn't think it ought to be done at this time, unless that's Selectman Maddox's suggestion.**

Selectman Maddox removed his motion, and asked that further research be done because this appointment, after tomorrow night, doesn't happen again until March; do more research before they commit. Tomorrow night is the last NRPC meeting that would be under this term, with no further meeting until March. He tried to get some information from Steve and he was just trying to see where they want to go with this.

Mr. Malizia said in researching the records, since 1993, there have been three members on the NRPC, two alternates and a Selectman liaison. Around 2001-2002, that was confirmed by a letter from NRPC to the town. Per the RSA, the Selectman is not a voting member. A community the size of Hudson has three voting members. Selectman Maddox is an active participant; the other Selectmen may not have been that active in the past. He assumes people at the NRPC meetings sit at the table together and participate. From a voting perspective, the town has three members. NRPC may have given the impression that the Selectman is a voting member, but all the documents and correspondence he's seen indicates that there are three members, two alternates and a Selectman liaison. He hasn't seen anything that has changed that. They could probably appoint a Selectman as a member; it's the Board's call. The Board, each year, appoints a Selectman liaison to the NRPC, just as they do to all of the other boards and committees. From a confusion perspective, NRPC is not confused. They say the town has three members, based on population, and they indicated as such in writing, and they referenced the state statute. Maybe in the next official census, if they go over 25,000 they can go to four members, but that won't be until 2010.

Chairman Jasper said the other part of that is being four year terms, but with a three-year term for Selectmen, you can't guarantee that's going to happen, anyhow. At this point, the motion has been withdrawn and he didn't know what further research Selectman Maddox wanted. Selectman Maddox said he could support Suellen; that's not a problem. It's just one of the new boards they go to and not be a voting member, per se, and that's the only thing he's concerned about. Whoever goes there, representing the town of Hudson as a Selectmen, isn't a voting member, unless one of the regulars isn't there. It's not a big deal at NRPC, which is a pretty loose organization, but again, he was bringing this to the Board's attention that, somehow or other, fallen out of place. Chairman Jasper said that was design, under state statute, for whatever reason. Mr. Malizia said there are population cutoff figures. Under 10,000, you get two reps; under 25,000, you get three; over 25,000, you get four representatives, and they talk about alternates. It doesn't speak to Selectmen, though elected or appointed officials can be members; it doesn't say they can or cannot be. Chairman Jasper said the problem would be if they put in somebody now, they would constantly be trying to shuffle things. Selectman Maddox thinks that's what happened, because he was the member until he became a Selectman. This has gotten muddled because of the four year term.

Selectman Massey withdrew his second.

Chairman Jasper wanted to know just what it was Selectman Maddox wanted. Selectman Maddox said try to research where the confusion is. Do they really want the Selectmen's rep? Do they want the Selectman to be a member or an alternate? Chairman Jasper said there are two vacancies, one member and one alternate, so the Board could appoint Selectman Maddox to either the member or alternate seat. He didn't think there was anything to research. Selectman Maddox said as the Selectmen's rep, it doesn't make him the person forever. Chairman Jasper said it would make him the person for four years. (Talking over each other.) He could resign, but the Board couldn't force him to. Selectman Maddox thought they were spending too much time on this.

Selectman Massey thought the Chairman and Selectman Maddox touched on the real issue. If the Selectmen's rep is an official position, does that person who gets appointed as the Selectmen's rep, and for whatever reason, they stand down from the Board of Selectmen, does that position become vacant? Chairman Jasper said that's very clear because it's not an ex officio position, so all they can do is, when there is a vacancy, they can put a Selectman in either seat. They should settle this tonight be either making Selectman Maddox the alternate or the full member and Suellen Quinlan the other.

Selectman Nadeau asked who the other two members were and when did their terms expire. Priscilla said Brion Carroll in 2008 and Howard Dilworth in 2010.

Motion by Selectman Robinson to appoint Richard Maddox as the alternate to NRPC. Chairman Jasper said he'd like to do it in one fell swoop and asked for a motion to appoint Suellen Quinlan to the member seat, term to expire 12/31/11 and Richard Maddox to the alternate position, with the term to expire 12/31/11. Selectman Robinson so moved.

Selectman Massey said he had a procedural question. When is Selectmen Maddox's term up? (Talking over each other.) Selectman Maddox said there is still stuff to research because he didn't believe that was the case. He believed he had a set term. They should just appoint Suellen and move along. Selectman Robinson withdrew his motion. Chairman Jasper said they really went around Robin Hood's barn on that one.

Motion by Selectman Robinson, seconded by Selectman Massey, to reappoint Suellen Quinlan as the regular member of NRPC, term to expire 12/31/11, carried 5-0.

F. **Planning Board** (2 members, terms to expire 12/31/10; 2 alternates, terms to expire 12/31/08 & 12/31/10)

- 1) Suellen Quinlan (incumbent member) was interviewed on the 11th.
- 2) Terry Stewart (incumbent member) was interviewed on the 11th.
- 3) Bill Cole (incumbent alternate) said listening to the NRPC discussion brought back warm memories. He wished everyone a Merry Christmas and a joyous New Year. He read the following statement into the record:

I appreciate this opportunity to come before you this evening to request your support for my reappointment to the alternate member seat I currently hold on the Hudson Planning Board, a position I've held since my initial appointment on September 11, 2006. In addition to my duties and responsibilities as an alternate member, I presently serve as the Planning Board's representative to the recently established Minor Site Plan Review Committee, along with Town Planner John Cashell, who serves as the committee chairman, and Selectman Massey, representing the Board of Selectmen. Throughout the course of the last 15 months, as has been the case since my first involvement in public service to our town dating back to 1991, the best interest of the Hudson community and my fellow citizens has always been the single driving force behind any and all decisions I have made, or votes that I have cast. Have I always made the correct decision? Of course not. I make mistakes just like everyone else in this room, but I have always hoped, at least in this regard, to be remembered as the old saying goes, as someone who, from time to time, may have been on the wrong side, but was never on the side of wrong. This concludes my formal remarks. Once again, I appreciate the Board's time and consideration of my request.

Mr. Cole said he's been asked many times, especially over the last six or nine months, why he was on the Planning Board of why he would want to stay on the Planning Board, and the Board can relate to the long hours, the thick packets, the missed meals, the times you have to call up and say you're not going to be home. It's a question he is sure the Board members have asked themselves more than once. Like most questions that have faced him in life, the answer is invariably right in front of him, but tonight, the answer is right behind him. It's those citizens and fellow residents, who came here tonight to support his reappointment, and those citizens and fellow residents who have sent him e-mails and called him over the last several weeks in support. It's their confidence in his ability and their trust in his integrity that's the reason he has served on the Planning Board and in other capacities and is seeking reappointment this evening. (Applause.)

Chairman Jasper said Mr. Cole has been the subject of voluminous legal opinions, both on the town's side and the developers of what was then RiverPlace, referred to now as Green Meadow. Previously Mr. Cole said he can't

anticipate what might happen, but as a retired Lt. Colonel, he certainly had to deal with contingencies and plan for things in the future. He finds it hard to believe he (Mr. Cole) hasn't thought about this and developed a position on what he would do when he is asked to recuse himself when this project comes forward. Certainly, they all know he will be asked to recuse himself, and have been, as a matter of fact.

Mr. Cole asked what project they were talking about. Chairman Jasper said the project that is before the Planning Board, presented by Atty. Leonard and the Friel family was there last Wednesday. It's important they not put themselves in a situation where they expend town funds to fight a lawsuit as a result of Mr. Cole's sitting and voting. He has no problem putting Mr. Cole on the Planning Board if he will recuse himself on that project. And it does continue because just today, he printed out on the Hudson Grassroots Central, and at the top of the page, it says, "Stop RiverPlace Home Page, Message from Bill Cole." Certainly, from a legal standpoint, even though it's not RiverPlace, everyone knows it's the same project, the same owners and there is an issue there, and this Board needs to address that issue. Mr. Cole asked what the question was. Chairman Jasper said the question is, "will you recuse yourself from that project?"

Mr. Cole said the short answer is no because they've morphed into something that's gotten out of scope. The suggestion has been—and he wishes he was an attorney because he could be making a great deal of money on this—that he recuse himself on anything that has to do with the potential, possible, future development of Green Meadows, and that's ludicrous. Why would somebody today say they are going to recuse themselves on issues that come up five years from now and may have nothing to do with what's before any board right now? It's a ludicrous suggestion, on the surface. There is no plan before the Planning Board and he would ask Selectmen Maddox and Massey to correct him, if he's wrong—they're in the design review phase of an interchange and an access road, motion proposal. They have no plan. No plan has been submitted to the town, nor has one been accepted by the Planning Board. He asked if that was a fair statement. Selectman Maddox said so far.

Mr. Cole said to circle back to what he's sure the Chairman is referring to, and that is RiverPlace and define what RiverPlace was, or what they thought it was going to be. As a plan that was accepted by the Planning Board for review, it didn't exist. It never happened. Selectman Massey said one small correction. The plan was never accepted by the Planning Board. Mr. Cole said that's what he said. Selectman Massey said Mr. Cole said it was. (Talking over each other.) Mr. Cole said the plan was never before the Planning Board. As a matter of fact, it wasn't ever property submitted, if he recalls correctly. He never was opposed to RiverPlace because, officially, in the eyes of the town, there never was a RiverPlace project. But so he doesn't give the appearance of hiding behind a technicality, or trying to hide behind semantics, take RiverPlace, that motion proposal that was briefed over and over, with the bubbles, etc., etc., etc. They don't know if that was ever going to be the final project. They'll never know. From his viewpoint, it was nothing more than the loss of 375 acres of open space, wildlife habitat and wetlands, and for what? To be replaced by concrete, asphalt, cinder block, shingles, vinyl, whatever? When he asked the question repeatedly what the benefit was to the Hudson community of this project, he never received an answer. The only answer the town ever received was some illusionary reference to tax revenues. He didn't know if there were going to be any tax revenues, or how much they would be. If history is any teacher, they know that government, at any level—town, state, federal—will squander—excuse me—spend all tax revenues it gets and he rather doubts the taxpayers would ever benefit. They never have in the state and they never have at the national level. He realizes that's a general statement and it's dangerous, but that's his perception. Left with no idea of what the benefit would be for losing 375 acres of open space, wildlife habitat and wetlands, of course he was opposed to it. You can call it RiverPlace or you can call it whatever you want; he was opposed to it. He's opposed to that concept now and will be opposed to it in the future. Any like minded, rational person would be opposed to it. So, in answer to the Chairman's question, he's not going to recuse himself on the basis that he has no idea what it may entail a week from now, a month from now, a year from now and was he opposed to RiverPlace? As a lost of 375 acres of wildlife habitat, open space and wetlands? Yes, sir, he was opposed to it. Chairman Jasper thanked Mr. Cole for answering his question very thoroughly.

Selectman Maddox said Mr. Cole has sat at these tables and at the head of the room. He didn't doubt any of the statements that were made in regard to his integrity, his knowledge and dedication. Unfortunately, they are dealing with a very large project that could take several years to work itself through the bowels of the Planning Board/ Conservation Commission/ ZBA, back to the Planning Board program. There are legal efforts to have William Cole removed from being seated at the Planning Board. Would he, sitting in any of these chairs, put this town in the position of having to do that all over because some judge said it was unfair/ advantage/ disadvantage, whatever they want to speak, because William Cole was reappointed to the Planning Board?

Mr. Cole said unfortunately, Selectman Maddox was working from an incorrect premise because there is no indication William Cole is going to do either A or B. Everybody seems to have decided what he is going to do, which he hasn't figured out himself. Sagamore Crossing has little or no relationship in scope or intensity to RiverPlace, a face which he compliments the Friel family on, realizing that the RiverPlace motion proposal was so intense, it was as he has said many times, unmanageable. They have scaled back. They've taken into consideration

the preservation of open space and wetlands, so he (Selectman Maddox) is coming from a false premise and he can't possibly answer that question. Going back to RiverPlace, because he knows they like to stroll down Memory Lane, it was always a conceptual situation. At best, it may have inadvertently de facto gone into the design phase review, which means the comments being made weren't held against people. That's not a legal term, but basically what it comes to. One of the questions he has, if he's being accused of opposing it by his remarks, what about those individuals who are in favor of it? (Applause) As a matter of fact, the Selectmen are getting ready to reappoint someone to a Planning Board membership role who was very much in favor of the project. So, when they talk about the legal ramifications and the courts possibly overturning something, be aware that lawsuits work both ways, not just because of the opposition, but because of the pro, too. Lawsuits work both ways. He apologized if that didn't answer the question but, quite frankly, Selectman Maddox was coming from a false premise and he couldn't possibly address it.

Chairman Jasper said the mission statement of Hudson Grassroots Central, and when he goes to the e-mail list, Mr. Cole's is the second e-mail on the list, so Chairman Jasper assumes Mr. Cole is familiar with it. Chairman Jasper said not that he was opposed to it, because he is not. He read, "To preserve and protect against all who would deny us our current way of life, as enjoyed today in the town of Hudson, to slow unwanted growth within the town limits, to keep our breathable air fresh and clean by keeping vehicle traffic down to a manageable number, to keep our wetlands and wildlife, as well as our natural areas, as God meant them to be, to keep our spiraling upward taxes within the limits that we all, including the elderly, can afford to pay to live in Hudson now and for always." Chairman Jasper asked if Mr. Cole ascribed to supporting that mission statement. Mr. Cole said he can't speak for Ron Peters, assuming those were his words. Chairman Jasper said they were. Mr. Cole said he didn't catch anything in there that caused him any problem, but somehow he gets the feeling he is walking into an ambush. He didn't see anything that caused him a problem; it sounded like a Mom and apple pie statement.

- 4) Tierney Chadwick was interviewed on the 11th.

Motion by Selectman Maddox, seconded by Selectman Robinson, to re-appoint Suellen Quinlan and Terry Stewart to the Planning Board as members, terms to expire 12/31/10, carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Robinson, to appoint Tierney Chadwick to the Planning Board as alternate, term to expire 12/31/08, carried 5-0.

Motion by Selectman Massey, seconded by Selectman Robinson, to re-appoint Bill Cole to the Planning Board as alternate, term to expire 12/31/10.

Selectman Robinson said Bill Cole has served this town since 1991. He's been an integral part of the town and of what they are today. Bill Cole is a war hero. Bill Cole is a distinguished member retired from the Army. There is no doubt in his mind the integrity, the wisdom and the thoughtfulness that he puts into his position for the town. His position on the Planning Board is needed for his intellect and for his broad based knowledge. He highly supports the reappointment as the alternate incumbent.

Selectman Maddox said he agreed with all of those, but he's not the only one on the Planning Board that has many of those traits, other than war hero. He didn't think they should put themselves in a position to end up across the river with the judge deciding what gets done there. Unfortunately, because of perception probably more than fact, as Mr. Cole has pointed out, that if that project does not go exactly to the developer's liking, they have an automatic go to court card because Mr. Cole is an alternate to that board. He admires the man for being on this board and doing all of the things he's done, but the Planning Board is not the one he should be seated on.

Selectman Robinson felt the Board was delving into wouldda-shouldda-couldda's and it might happen and it could happen, but they can't live like that. They know what history has shown; they know the positive impact Mr. Cole has had and to live in the wouldda-shouldda-couldda's, and he *might* do this and he *might* do that is unfair to him, unfair to the community and unfair to the Planning Board.

Selectman Nadeau said he agreed with Selectman Maddox. They saw all the stuff that was going on with them trying to remove him and what it could cost and what it will cost in legal fees. If Mr. Cole would say he would recuse himself, he'd have no problem putting him on the Planning Board in that position. But, at this point, he can't support the appointment. Selectman Robinson said to give Mr. Cole a specific question on if he would recuse himself. Obviously, knowing there is no plan before them, at this point in time, he can't go into the future.

Chairman Jasper said he agreed with Selectmen Nadeau and Maddox. The fact of the matter is tonight they heard Mr. Cole talk about the 375 acres as if it belonged to the town of Hudson. It would be nice if it did, but it doesn't. They have to recognize private property rights. Each one of them lives in a home that, at one point, was wide open space, nothing but habitat for animals. At some point, the Indians came in. People have a right to develop.

What he didn't hear Mr. Cole say is that he would work and strive to make sure that whatever project went in there, went in according to zoning and planning regulations, and that's what they have to do. That's what this is all about. Would he rather see that 375 acres remain a golf course? It's a little disingenuous to say it's a wildlife habitat; there may be wildlife in there, but it's a golf course where most of that is mowed and maintained with people all over the place. He'd like to see that maintained, but it is the Friel's right to develop that according to the town's zoning and according to the Planning regulations. That's what he didn't hear tonight, is that he was open to that. He heard anybody would have to be crazy to want to see that happen. Well, that's not really the questions and those weren't exactly his words, but it was inferencing it was a bad thing to do with that property. They can all agree, and he thinks every one of them may well agree, they would like to see it remain open, but that's not their choice. That is the choice of the owners of the property within the zoning and planning regulations and that's what he didn't hear; that's why they have the concern from the owners and that's why they *would* end up in court, if this went the wrong way, for that very reason. He didn't think one member is so important they should subject this plan to that level of legal scrutiny and the costs. He just thinks it's unfortunate that with everything that's gone down, Mr. Cole hasn't realized that he is not more important than the whole situation and that he'd sit back and recuse himself from this one because he understands he's surrounded this one with controversy, intended or otherwise, to the point where you come up today—now, it's not RiverPlace, but you know that's not going to make any difference.—and say Hudson Grassroots Central, but it prints out Stop RiverPlace Homepage. Well, they know what it's inferring to. They can't be cute and pretend well, because RiverPlace doesn't exist, this is just a mistake. They know what Mr. Peters has been doing; they know what's going on here and it just is the wrong thing for the Board to do, unfortunately. It's unfortunate, but this is where they are at.

Vote: Motion failed 2-3. Selectmen Massey and Robinson voted in favor.

- G. **Recreation Committee** (2 members, terms to expire 12/31/10; 1 alternate, term to expire 12/31/10)
Timothy Boland (incumbent alternate) was unable to be present, due to a family-related commitment.

Motion by Selectman Massey, seconded by Selectman Robinson, to appoint Tim Boland to the Recreation Committee as a member, term to expire 12/31/10, carried 5-0.

- H. **Recycling Committee** (2 terms to expire 12/31/10 and 1 term to expire 12/31/09)

- I. **Sewer Utility Committee** (2 members, terms to expire 12/31/10)
William Abbott (incumbent member) was interviewed on the 11th.

Motion by Selectman Massey, seconded by Selectman Nadeau, to re-appoint Bill Abbott to the Sewer Utility as a member, term to expire 12/31/10, carried 5-0.

- J. **Water Utility Committee** (2 members, terms to expire 12/31/10)
Jeff Rider (current member) was interviewed on the 11th.

Motion by Selectman Massey, seconded by Selectman Robinson, to re-appoint Jeff Rider to the Water Utility as member, term to expire 12/31/10, carried 5-0. (Selectman Massey noted that Mr. Rider was not a customer of the Hudson Water Utility; there is only one non-water user allowed on this board.)

- K. **Zoning Board of Adjustment** (1 member, term to expire 12/31/10; 3 alternates, 2 terms to expire 12/31/10 & 1 term to expire 12/31/08)

- 1) Michael Pitre (incumbent member) was interviewed on the 11th.
- 2) Marilyn McGrath (incumbent alternate) was interviewed on the 11th.
- 3) Tierney Chadwick was interviewed on the 11th and has been appointed to the Planning Board as an alternate.

Motion by Selectman Robinson, seconded by Selectman Maddox, to re-appoint Michael Pitre as member to the ZBA, term to expire 12/31/10, carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Massey, to re-appoint Marilyn McGrath as alternate to the ZBA, term to expire 12/31/10, carried 5-0.

6. **CONSENT ITEMS**

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

- A. **Assessing Items**
- B. **Water/Sewer Items**
- C. **Licenses & Permits**

Request by Hudson Girl Scouts to sell cookies at various locations in town from February 16 to April 15, 2008.

- D. **Acceptance of Minutes**
Board of Selectmen's Workshop Minutes of December 4, 2007

- E. **Calendar**
12/19 5:00 Water Utility Committee in BOS Mtg. Rm.
12/19 7:00 Budget Committee in BOS Mtg. Rm.
12/19 7:00 Hudson Senior Council on Aging in CD Mtg. Rm.
12/20 1:00 Trustees of the Trust Funds in BOS Mtg. Rm.
12/20 7:30 Budget Committee in BOS Mtg. Rm.
12/25 Christmas – Town Hall closed
12/26 7:00 Budget Committee in BOS Mtg. Rm.
12/27 7:00 Budget Committee in BOS Mtg. Rm.
12/27 7:30 ZBA in CD Mtg. Rm.
01/01/08 New Year's Day – Town Hall closed
1/2 7:00 Planning Board in CD Mtg. Rm.
1/2 7:00 Budget Committee in BOS Mtg. Rm.
1/3 7:00 Budget Committee in BOS Mtg. Rm.
1/7 6:30 School Board in CD Mtg. Rm.
1/7 7:00 Board of Selectmen in BOS Mtg. Rm.
1/8 State Primary, 7:00 am – 8:00 pm, Community Center
1/9 7:00 Planning Board in CD Mtg. Rm.
1/9 7:00 Budget Committee at Community Center
1/10 5:30 Sewer Utility in BOS Mtg. Rm.
1/10 7:00 Budget Committee at Community Center
1/10 7:30 ZBA in CD Mtg. Rm.
1/14 7:00 Conservation Commission in CD Mtg. Rm.
1/15 7:00 Budget Committee in BOS Mtg. Rm.
1/16 5:00 Water Utility Committee in BOS Mtg. Rm.
1/16 7:00 Library Trustees in BOS Mtg. Rm.
1/16 7:00 Hudson Senior Council on Aging in CD Mtg. Rm.
1/17 7:30 Budget Committee in BOS Mtg. Rm.
1/21 Martin Luther King Day – Town Hall closed
1/22 7:00 Board of Selectmen in BOS Mtg. Rm.
1/23 9:00 Joint Loss Meeting in CD Mtg. Rm.
1/23 7:00 Planning Board in CD Mtg. Rm.
1/24 7:30 ZBA in CD Mtg. Rm.
1/28 7:00 Recycling Committee in BOS Mtg. Rm.
1/28 7:00 Energy Committee/Green Team in CD Mtg. Rm.

7. **OLD BUSINESS**

Votes taken after Nonpublic Session on December 11, 2007.

Motion to adjourn at 10:20 p.m. by Selectman Maddox, seconded by Selectman Robinson, carried 5-0.

8. **NEW BUSINESS**

A. **Liaison Reports**

Selectman Nadeau said the Rec Committee's meeting was cancelled last week, which will be held Thursday night at 6:30 at the Oakwood facility.

Selectman Massey said he scheduled the workshop with the Conservation Commission for February. As they heard tonight from Michelle Champion, they are really enthusiastic that the Board is willing to sit down with them and have a good discussion on their goals and objectives. That's a good thing because they have a lot of good ideas going forward.

On the Water Utility, the fencing is being installed as they speak. A punch list item that has been open for several weeks, and remains to be done, is the phone system hookup by Verizon, in order for the SCADA system to be implemented. They asked Pennichuck to use whatever influence they have with Verizon to get them out there to hook up the phone system.

Last year, the Board voted to work with Pennichuck to install radio-read meters for all of the water meters in town. They've done about 800 out of 6,000 units and of those 800, they were able to successfully implement them because all of them had three wires coming up from the meter in the basement to the outside. They've done a random audit of several others

and have come to the conclusion that a good percentage of the town has—surprise, surprise—two wires. What is maddening is there are three wires on the outside, but when they go down to the meter, there is only two. Somewhere along the line, the line got spliced. He, the Town Administrator and the Town Engineer met with Pennichuck this week because they have a proposal that they are going to be coming before the Board with on January 22 for completing the project. There were three alternatives on the table—one was to do nothing; one was to have the town finance the entire project; the third one was a change in the current financing. The one that appears to be in the best interest of the town is the third alternative, but that will be for the Board to decide. Looking at the outside, there is no way one can know if there are two or three wires in the house, because of the way Consumers installed a lot of the pumps.

Selectman Maddox said the Town Clerk-Tax Collector wanted to remind everyone that on the day before Christmas, that office will be closing at 2:30.

They are into the second cycle of the huge document-scanning project in the Community Development Department—all of the documents in all of the file drawers for all of the building, planning, etc.—and it still is not operational, sadly. The software is not working. He was told about this just this afternoon, but it's something that needs to be addressed. They are half-way through funding this and it seems like there is another snag. This is the slow time, so if they are going to be doing something, it needs to get going, as well as testing it out before the spring rush comes in Community Development.

Selectman Robinson said there was a lot of snow in the past week and a half in town and the residents are pretty sick of shoveling and the guys out in the trucks, working 36 hours straight, trying to keep the road clear so emergency vehicles can get through so folks who need to go to the hospital can, but there were some snags during the last storm. Everybody wants to get their driveway plowed and some folks hire people to plow their driveways and then the town plows come by and plow them in and folks have a tendency to get upset, up to and including folks leaving their cars in the streets so the plows can't get by, including folks standing in the streets, so plows can't get by, up and including residents standing in the middle of the road like that guy did in Tiananmen Square with the tank. That is very, very, very dangerous for the drivers of the vehicles and the town. The Police Department responded to half a dozen incidents over the last snow storm. What was going on in the town was unbelievable. It has to be a two-way street between the town and the drivers. The road *will be plowed, period*. If folks are interfering with the plows, and the police are called, then it will be handled as a police matter. If they get called back a second time, the police officers have been instructed to take it up a little more seriously with the homeowners. Since November 1, 42 citations have been issued for cars left overnight in the streets. There were three accidents over the last storm with the Highway Department. A truck, who wasn't looking where he was going, backed into a DPW truck; one of the town trucks swerved to miss an on-coming truck and went off the road and rolled over; a third truck, getting out of the way, nicked the door of a car. None of these things had to happen. The guys in blue and in orange are out there, trying to get the streets clean. If a plow is coming to your driveway, tell the guy to wait because the first pass the DPW does is open up the middle of the street. That's just to get the road open. They will be back a second and third time to push the snow closer and closer and closer, so it opens it up the full 18' or 22'. Tell your plow driver to wait until the roads have been cleared to the edges. If your mailbox was knocked down, the DPW will fix it. Just give them a call. They'd like to improve relationships in town between the folks and their driveways and the Police and Highway Departments,

The sidewalks are being done as he speaks. The Bobcat is equipped to clean the sidewalks, but it broke a hose. The sidewalks will be cleaned, as the Road Agent said, if the guys have to be out all night, so children can walk to school on the sidewalks. During the next snowstorm, show a little more patience and more respect for each other.

Selectman Jasper said that was well said and he'd just follow on and add to that because he, too, had discussions with the Road Agent and the Chief about this matter. This is a minority of residents, but people have to realize that the street *have* to be opened up and as Selectman Robinson said, the plow will be by several times, and sometimes it will be back the next day, and there's nothing they can do about that. That's the reality of living in New England and people need to learn to deal with that. Trucks have been stopped for 20 minutes during a blizzard because people are standing in the road and they have to wait until the Police Department was able to get there, and they had more important things, like a lot of accidents to take care of. People were taking the Highway Department off the streets from getting their routes done, backing things up, and then taking the police away from emergency calls because this became an emergency because the road was blocked. It's just a fact of life. This is more snow than any of them can remember seeing this early in December and many of them are wondering where they are going to put all this snow, if it keeps up at this pace. This has got to stop and they probably will be dealing with an ordinance to actually be able to declare a snow emergency and have all cars off the streets during the daytime because the trucks have got to open up the roads and get through. There are people backing their cars out into the road so the slush doesn't go into their driveways. Hudson probably does the best job of keeping the streets open of any community he has ever seen. All you have to do is go across the river into Nashua and see what happens over there. Days later, it feels like you're riding down a road full of potholes because it is packed down and they weren't able to get it up. A lot of what they are dealing with is the compact part of town, where there are cars everywhere and it's a much more difficult job and some people seem to want to turn Hudson into that. They are going to have to do what they can. The only alternative he can think of is if there are people on a whole street and they don't want town trucks on their street and they want to pay for their street, let him know—but everybody on the street has to agree to that.

Selectman Robinson said folks who do have snow blowers, and it comes down like this, help the Highway Department out. Go out and do the front of your house, make three or four passes. Open the street up 5' on each side and that will be a tremendous help to the guys in the trucks and it doesn't take any time at all to do that. Give them a hand in storms like this.

Chairman Jasper agreed, saying to help your neighbors out, too. They need to work together in storms like this. When he was a kid, they didn't see a town truck down Old Derry Road for two days because they knew his father had a plow and he'd plow out to 102, so everything could get in to take care of the chickens. They didn't worry about anybody else because he was doing that. People would be screaming if that happened today. They need to work together a little bit more and be a little more considerate, and remember those guys in the Highway Department are putting in a tremendous amount of hours, and it's very stressful. Years ago, there used to be two men in a truck, a wingman to watch where the wing was going. Because they don't have a wingman, they take down a few more mailboxes, but the cost of that is a lot less. These guys are out there for hours and hours and hours, and when you do this day in and day out during storms like this, your nerves get frayed, you're tired, but they are doing the best job they can.

Selectman Robinson said in the last 12 years of snowplowing in town, not a single Highway Department employee has not reported to work. The Road Agent is at 100% attendance for every snowstorm for the past 12 years. That's phenomenal dedication. Chairman Jasper agreed, saying they'd all rather be home on a snowy Sunday afternoon, watching the Patriots. They are not out there just for the money; they are dedicated to the town and to their jobs.

Chairman Jasper declared a 10-minute recess at 8:19 p.m.

B. Donation of \$500 from Jean Serino to the Hudson Cable Committee

Ms. Serino said she thought she'd be out of here by 7:30. Little did she know there was going to be a testimonial by Mr. Cole, a born-again environmentalist. She just hoped the people who were for open space now in this room tonight will reconsider their vote on all the open space that's been for sale for all these many years that they opposed and will, in the future, vote for it. Chairman Jasper asked Ms. Serino what this had to do with her donation. (Talking over each other.) Ms. Serino said she could go on and on; however, she will not be as long-winded as some. Chairman Jasper said they appreciated that. Ms. Serino said especially him.

Continuing, Ms. Serino said she was there to donate \$500 to the Cable Committee, to be added to the money they have now so they can get a studio, so HCTV can become even more wonderful than it is now. She especially wanted to thank Mike O'Keefe, Chairman of the Cable Committee, for all of the hours he's donated for her show, *The Conversation*. He has even dragged his poor wife, Rhonda, in to run the cameras when they couldn't get anyone else, his son, Mike, and Leo Bernard reluctantly comes. Chairman Jasper interjected there was a little feud going on there. Ms. Serino said she didn't know why he hates her; she doesn't hate him. She doesn't know what she did to him. Anyway, she wanted to say she has done 25 *Conversation* shows; Shawn has been on several of them. She tries to be fair and balanced and, so far, nobody has complained about being abused by her, but maybe after tonight they will. They've done a lot of political shows. She's had all (the Selectmen) on, with the exception of Ken. She's had authors on, Betty Hall is going to be on next. She has been a state Rep for 28 years and she's going to talk about Grannie D and soft money and impeaching the President and Vice President and they are going to do a resolution about that. She did have a call from the Nine-Eleven Firefighters out of New York, and it turned out they were just hate mongers against Rudy Giuliani, and she didn't want that kind of show, so she said no to them. They went to Dartmouth, and Dartmouth said yes. John McCain's camp called her the other night and they want HCTV to cover his town meeting and to interview him and she is delighted to do that. She thinks he is a very honorable person and the only adult Republican running. (Talking over each other; background noise.) Ms. Serino was hopeful the other candidates, all of whom she has asked to be on, will either be on or send somebody to be on the show. They are hoping to get people to learn how to use cameras because they want to go out and do stuff and everybody's invited. Anybody who wants to be on her show, give her a call at 889-4744 and if you are not outrageous, she will put you on. She is the only one allowed to be outrageous.

Selectman Massey said Ms. Serino indicated the money was for the purpose of helping to acquire a studio. There currently is a capital reserve fund for just that purpose. However, state statutes prohibit co-mingling public and private monies, so if they were to accept this donation, there are two ways to do it. One is to create an expendable trust that the Trustees of the Trust Funds would manage for this purpose and the other one is to create an agency account. Mr. Malizia said, actually, they would just stick it in the donations account. That's the simplest way, and they wouldn't co-mingle the funds. Ms. Serino said just make sure the funds don't touch each other, and accept the donation.

Motion by Selectman Robinson, seconded by Selectman Nadeau, to accept the donation on behalf of the Cable Committee, with thanks and appreciation, carried 5-0.

C. Donation of a \$732.48 Police Package Mountain Bike with Police Rack and Bag Combo from Ken and Barbara Massey

Chief Richard Gendron quipped he didn't know how he was going to follow that act; Chairman Jasper advised him not to try. Chief Gendron said they might recall that during the budget presentations, in order for his department to meet the 0% budget increase, a list of replacement items had to be eliminated. When he indicated one of them was a police bike, which

was going to be a replacement for the one that was purchased in 1997 by former Selectman and former State Representative John Bednar in memory of his wife, Pat, and donated to the Police Department, Selectman Massey told the Chief he'd like to make that donation to continue the memory of Pat. It was ordered and was in, a Cannondale, handmade in America. They are very sturdy bikes and hold up well. Lt. Avery and Sgt. Dionne were also in attendance. Lt. Avery oversees the mountain bike patrol and Sgt. Dionne is assigned to second shift. Chief Gendron thanked Selectman Massey and his wife, Barbara, for this very generous donation, which was greatly appreciated.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to accept the donation on behalf of the Police Department, with thanks and appreciation, carried 4-0. Selectman Massey abstained. (Applause)

D. Automated External Defibrillators (AED's) in Town Facilities

Police Chief Gendron and Fire Chief Murray were recognized. Chief Gendron said he and the Fire Chief were present to promote the use of AED's. The AED is a portable electronic device that can deliver an electric shock that will start a heart's electrical activity. According to the American Heart Association, a CPR rescue attempt using an AED improves survival rates by as much as 49%. The Hudson police Department has 10 of them; the cruisers are equipped. The regional SWAT team was training in Londonderry on October 16, along with the EMT's that are assigned to the SWAT team. Part of the training was the annual physical agility test and an EMT, Ralph D'marco from Windham Fire, who was assigned to the team, had just completed a lap and collapsed on the field. Rescue attempts were made to revive him. Someone remembered there was an AED positioned in the hallway at the Londonderry High School. Someone retrieved that AED and Officer Dolan was able to administer a shock to EMT D'marco and was able to bring him back and save his life and is recuperating very well—and he is very thankful for their efforts. That emphasized the reason he and Chief Murray are before the Board. The defibs have proven themselves over and over again. It is reported that sudden cardiac arrest will kill more people than those involved in car wrecks, cancer, handguns, house fires and even AIDS combined. 13% of workplace fatalities are from sudden cardiac arrest and that is why they are before the Board tonight, to promote the use and purchase of these machines. The suggestion is to purchase eight of them and station them in all of the facilities. When this was presented to the School Department, they agreed that this would be well worth the purchase and they are working on purchasing them immediately to put them in the schools. The Fire Department is right next door to Town Hall, but minutes are very precious when someone goes down. By the time 9-1-1 is called and they are able to get over here, precious minutes are lost. If an employee at DPW was to suffer cardiac arrest, somebody could immediately administer a shock and, hopefully, save their life. That's what it's all about; making these available to save lives.

Selectman Robinson asked what model they had in mind and what the price was. Chief Murray said the models they purchased before have come down significantly in price, from \$1,000 - \$1,500 which includes the defib itself, putting it in a metal box, which has an alarm on it so when the box is open, the alarm sounds and alerts people to that. They are going to take advantage of an EMS grant program, through the state of NH that sparsely populated communities qualify for. Hudson does not, but they can still get in on the pricing. The models they have to purchase are compatible with the higher technology defibs that they carry on the ambulance. Once you connect someone to an AED, they only have to unplug it from their machine and plug in into the other one and continue to operate.

Chairman said he might not have thought of a question he had prior to the incident at Memorial School last week. An alarm goes off when you activate a sprinkler system, too, and AED's are something that can do potential harm, if they are in the wrong hands. He asked where they envisioned these being placed in town facilities. Mr. Murray said they are typically put in public buildings in active, visible places. You couldn't just take it off the wall and put the pads together and shock someone. The machine has to recognize a certain heart rhythm before it will fire up. Chief Gendron said you cannot shock someone who is alert, breathing with a normal heart. It just won't work. Mr. Malizia said he understood they could be shocked only once. Chief Murray said it depends on different things the defib reads.

Selectman Robinson said if his memory was correct, they have a defib in the Community Center. Chief Murray said yes; they used funds from Wal-Mart. Selectman Maddox said as part of their meeting with the election program, they are going to do a lot of elections next year. The people that are there for electioneering should get some training on it so if it ever happens, they are somewhat knowledgeable about what it does. This comes back to something the Chief of Police told them during the budget cycle. The batteries are very expensive in the ones in the vehicles. He wondered if they should set this up as a line item, as a capital reserve fund, if you will, to have monies in there that they are putting in every year, so as batteries go, you want to add more. They don't want to do the same thing of buying eight and then, five years from now, it makes more sense to spread that out over a few years. They need to be thinking about how they are going to fund, because they were talking about replacing some of those units. In the back of their minds, they need to be thinking about how to maintain and replace with some sort of program because they are right, once they are in there and know they are there, the last thing they want to do is take them out because they are not functioning, what is the plan? To carry \$2,000 or \$3,000 in the Fire or Police Departments to maintain and replace as needed makes a lot of sense. He asked what the lifespan was on them. Chief Murray said batteries are replaced about every five years. They can go on five to seven years, as long as technology doesn't overtake them, or the standards change.

Selectman Robinson asked what eight town facilities were included. Chief Murray said Town Hall, Fire Administration, the Library, Department of Public Works, Police Department, Police Training facility, Animal Control facility, and one at the Oakwood Recreation Center.

Chairman Jasper said he was a little uncomfortable, so early in the year, to authorize the funds for this. They are going into what appears will be a harsh winter, and with fuel prices what they are, they ought to wait until such time that funds are available. He'd hate to see them line this up as the highest priority now, and then run out of fuel for the vehicles. He supports this and the idea is to get a sense if the Board would, as well. (The other Board members indicated their support by nodding their heads.) They need to have the funds identified and June is probably the appropriate time to come in with a funding request.

Selectman Maddox said, if there was a priority today, it would be the Police Department because that facility is pretty far out from EMS. Town Hall is next door to the Fire Department. Selectman Robinson thought Highway should be included, too. Someone else agreed with that rationale. Selectman Maddox said they all agree this is something they should be looking at seriously. Chairman Jasper added that, until such time as funds are available. They need to wait until their know what their budget looks like, and now is a little early to be committing \$12,000 to this.

Selectman Maddox asked what the timeframe was on the price. Chief Murray said it has held pretty steady over the last year or so. Selectman Robinson asked that training be set up for the five Selectmen. Chief Murray agreed to that.

E. Discussion with the Hudson Energy Committee/the Green Team

Linda Kipnes, Chairman of the Green Team, said there were three items the team wanted to discuss with the Selectmen. The first was the EPA Community Energy Challenge. The EPA provides some software that will help them to do an assessment of the energy usage in town buildings. It is a package where, if they commit to this program, they get usage of the software for each building and each different area in the building. They have to describe the building and tell the energy bills from the past several years, and it will tell them if they are making progress. It's sort of a benchmarking tool to see where they are and then assess whether they are becoming more energy efficient. Part of that challenge is they will set a goal to reduce energy usage in the building by 10%. She and Sandra Rumbaugh went to a workshop to learn the basics of the software and how to enter information and what information they would need. They would need help from either department heads or somebody in each building because they will have to describe the building, what it's like inside and they will need help from the Finance Department with looking at the energy bills from the past two years.

Mr. Osgood said he talked to an EPA administrator in Boston about this and said the 10% pledge isn't from today forward, it can take into effect what the schools have already done in terms of the new heating system and Alvirne has put in a request for new windows. There isn't any penalty for not making the 10%, but they are already rolling in that direction. Chairman Jasper said the schools have already made great strides with what they have done.

Selectman Maddox said when something looks this good, he always looks twice. This is the EPA, and the forms are going to be.... What is the benefit to doing this? If they need to look at energy usage, that's fine. Is getting on board with this EPA program going to be just a lot of paperwork to gain what? That's his problem with this. Ms. Kipnes said the software is in place to give them a framework for what to look at, how to assess the energy usage, the information they need and how to compare it month by month and year by year, and it also gives them a way to assess how they are going, compared to buildings in other places. She didn't have time to do mountains of paperwork, but she thinks this program will give them a good tool to use to input this information and keep it for their usage. Selectman Maddox said he'd sign on to this, but would like some feedback at the beginning of the project from the Finance Director or Town Administrator, if this becomes a time-consuming issue on the part of staff to break down every building, month by month and every utility. That could eat up a lot of time they don't have to give away. Ms. Kipnes said most of that work will be done by the Green Team. All they need is authorization to look at the energy bills. In each building they would need someone to let them in so they could look around.

Selectman Robinson asked the Town Administrator if he had an idea of what the utility bills were. Mr. Malizia didn't, but said two years worth were readily available. Selectman Massey said he heard something on the radio that sounded too good to be true, so he checked the website. There is a company that teamed with Honda and if you have a gas-fired, forced hot air heating system, you can install this new system that generates electricity and, as part of the generation of electricity, you can speed it back into the grid and recoup some of the cost of putting the system in. It's a very innovative thing and particularly useful in the northeast because of the ability to see unused electricity back to the grid. The website is Freewatt.com and, just looking at the technical specs, it looks like even commercial buildings could make use of it.

Motion by Selectman Robinson, seconded by Selectman Massey, to authorize Board Chairman to sign letter of commitment to join EPA New England's Community Energy Challenge and become an EPA Energy Star partner, carried 5-0.

▶ Motion by Selectman Robinson, seconded by Selectman Massey, to authorize Green Team members to work with department heads to describe buildings and collect data to benchmark energy usage in town buildings.

Ms. Kipnes said they would ask somebody in each building, as part of the data collection, for a description of the building, the size and what kind of things are in it. They would need some help from staff to do that.

Vote: Motion carried 5-0.

▶ Motion by Selectman Robinson, seconded by Selectman Massey, to authorize Green Team to access PSNH account numbers for town buildings, carried 5-0.

▶ Motion by Selectman Massey, seconded by Selectman Robinson, to authorize Green Team and town staff to participate in building inspections.

Selectman Maddox said as long as this does not become a burden to those departments. Ms. Kipnes said this was to call PSNH, who has contractors come into each building for a few hours. They need the account numbers to identify the buildings and PSNH looks up information about it. They will come in and look at lights and electrical usage in the building and they need somebody there who is familiar with the building, who can let them in and give them information. For each building, it's not more than a few hours. They gather the information and then write a report with recommendations of ways to become more energy efficient and ways that PSNH can provide incentives to do some of the recommendations.

Vote: Motion carried 5-0.

Chairman Jasper said when it comes to the implementation of recommendations, they will have to wait.

▶ Motion by Selectman Maddox, seconded by Selectman Robinson, to appropriate ~~\$150~~ \$300 to the Green Team for publishing a series of 4 Green Tips in the HLN, as determined by the Town Administrator for a funding source.

Chairman Jasper asked for clarification on the math because the request was for \$150 for advertising and they plan to advertise four times at \$68 each. Ms. Kipnes explained that the \$150 wouldn't cover everything, but thought it was a supportable amount. Others have volunteered to help pay the expense. The first one ran in the HLN this week. They are hoping that several companies will volunteer to sponsor a few of the tips. They have a budget that will start July 1, but they wanted to start this going now and the \$150 would be seed money.

Amendment by Selectman Robinson, seconded by Selectman Nadeau, to change the amount to \$300.

Ms. Kipnes said it's \$68 for one ad, but less if they run a series of ads. Chairman Jasper advised to never give more money than is asked for, so he will vote against the motion.

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

Vote on the motion, as amended, 5-0 in favor.

Selectman Massey said he applauded the Green Team, which has been in existence only six months. They hit the ground running and have really taken the challenge. It's a good example of what citizens working together can accomplish.

F. Warrant Article -- Payment by Credit Card

Chairman Jasper said he had gotten an e-mail on this and requested information on it, but it appears this isn't something that is ready for prime time. He was not recommending moving forward with this at this time. Town Administrator Malizia said there appears to be a lot of pitfalls, there are a lot of security measures and a lot of things they would need to do to even consider accepting credit cards. When Chairman Jasper approached him on this, he had Tax Collector Patti Barry and IT Manager Lisa Nute take a look at this. After delving into it, they confirmed his thoughts about the pitfalls. Nashua is doing a small modest pilot program with their landfill and they don't even do it for the mainstream customers. Not that the town is a follower of Nashua, but they usually like someone to trail blaze something like this. He, as well, did not recommend forwarding this to the ballot, but staff will continue to work on it to, possibly, provide a recommendation for next year's warrant. Town Meeting would have to authorize the town to accept credit card payments. If they put that on, they may be promoting an expectation that, in reality, that may not happen in that quick timeframe. It would not be proper to lead people down the path of expecting the town would accept credit card payments. He referenced the recent security problem with T. J. Max. As silly as that sounds, that is a consideration, and government is not really mature in this industry. In retail, they do it all the time, but not a lot of other government entities are doing it at the moment. They will be working with the state to upgrade some of the e-registrations, so things will be happening. He was concerned about promoting this for this year. Obviously, it will come up at some time in the future, but more research and recommendations from IT and other staff would be appropriate before they jump in too far.

Selectman Maddox said, as liaison to the Town Clerk/Tax Collector, he spoke with Ms. Barry and the biggest pratfall is it could cost the town tens of thousands of dollars making up the difference of what the credit card company charges and what the town charges the customer. There are a lot of variables that haven't been worked out yet and the town could lose significant money that would have to be made up somehow, and they don't even know what that number is. Minimal participation could cost the town thousands of dollars.

Selectman Robinson said, for the folks at home and as Selectman Massey would say, act in haste and repent in leisure. In his world in his regular business, 60%, 70%, 80% of what he does is by credit cards and the largest department in his company is finance because of credit cards and credit fraud and what goes on. What the town needs to know is that with the convenience with credit cards, retailers, or the town, would pay a premium for that and when you charge \$100 at a local store, depending on what charge card you use, the store will be reimbursed \$98, \$96 or as low as \$92, depending on what card is used. Hudson collects \$42 million in taxes, and if they lose \$4 million in tax revenue because of accepting credit cards, they've put themselves in financial harm. Opting on the side of prudence on this one is extremely important, for the town and for the residents.

G. Petitioned Warrant Article – Senior Center Addition to the Community Center

Motion by Selectman Maddox, seconded by Selectman Robinson, to forward the petitioned bond warrant article for a senior center addition to the Community Center to the warrant and to hold the required public hearing on January 7, 2008.

Selectman Massey said the article didn't indicate whether or not the Board of Selectmen was recommending or not recommending it. Chairman Jasper assumed they'd wait until after the public hearing to make a recommendation. The bond hearing is a legal requirement to talk only about the raising of the bond, not the merits of the warrant article.

Vote: Motion carried 5-0.

Selectman Massey said before they move on to the next item, there were two members of the Hudson Council on Aging in the audience and they seemed to be a little puzzled over what just happened. He asked the Chairman to explain to them and to the viewing audience what the Board just did. Chairman Jasper this article will be on the warrant. There is a bond hearing scheduled for January 7. If they are going to have a bond article, they have to have a bond hearing, statutorily, to talk about the bond itself and the term of the bond, how long it's to be, how they are going to issue the bond, etc.—the technical issues. On January 7, the Board will make its recommendation on whether or not to recommend it.

Lucille Boucher asked to be recognized and Chairman Jasper allowed it. Ms. Boucher said the warrant article stated it was \$900,000 but the Seniors are donating \$200,000 which will bring the bond down to \$700,000. Chairman Jasper said she may want to prepare an amendment for the deliberative session because it has to go forward as it was petitioned.

H. Joint Labor/Management Committee

Town Administrator Steve Malizia said each of the labor contracts has language in it that promotes the formation of a committee between labor and management to discuss health care issues, benefits, etc. It also allows for two exempt members of town staff to participate, usually department heads and other personnel that are not in a collective bargaining agreement. He was recommending that Police Chief Gendron and IT Director Lisa Nute be appointed to the committee, and he will chair the committee. Finance Director Kathy Carpentier is also another resource.

Motion by Selectman Robinson, seconded by Selectman Nadeau, to appoint Police Chief Richard Gendron and Information Technology Director Lisa Nute as the two Joint Labor/Management committee exempt staff members.

Selectman Maddox said he was going to vote in opposition in view of the busy schedule the IT Director has. He didn't want her diverted away from IT, so he can't support this additional task. Selectman Robinson said, as IT liaison, he has full confidence in Lisa being able to adjust her schedule accordingly to do a good job on this committee. He said he'd like to volunteer for the committee, as well. Chairman Jasper asked if a Selectman could be on the committee. Mr. Malizia said that language wasn't specified in the contract, but they would meet during the day because the majority of the folks are employees. There isn't any language in there that says they can or they can't. It's up to the Board. Chairman Jasper thought any Board member should be able to sit in. Part of the problem would be in terms of voting. This is ultimately going to come back to the Board. Mr. Malizia said nothing would happen from the management side unless the Board approved it. (Talking over each other.) Chairman Jasper said any of them who wants to can probably attend and put in their two cents worth, but he didn't think they needed a formal motion on that.

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

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Nadeau thanked the Highway, Fire and Police personnel for doing a very good job in the last couple of storms. He wished everyone a very Merry Christmas and a Happy New Year.

Selectman Massey said ditto to Selectman Nadeau’s comments.

Selectman Maddox said at their last meeting, the liaison to the Police Department, Selectman Massey, gave them back the requested information from the police in regards to putting two officers on the C shift. As much as he didn’t disagree with that very short and vague answer, there is a problem with manpower on that shift and to simply hope that the voters will hire two more police officers is not the right answer. He moved that the Police Chief bring forth a plan that would put two more police officers on C shift and tell the Board, in specifics, what impacts that will have to his department, but the motion did not receive a second. Selectman Maddox said, obviously, he is the only one that thinks there’s a problem there. Just waiting for the voters to say send two more police officers, he’s just concerned they are not going to get the same message at the voting booth. But, so be it. He will go along with Selectman Nadeau in wishing everybody the problems of withdrawal from getting to watch them for a couple of weeks because they won’t be back on until the new year. Maybe they will run some of Jean’s shows and fill in the void. As always, it has been an interesting year. He just remarked to Eloise the other night that they were just worried about Y2K, and now it’s 2008. It’s amazing how the time flies by. He was reading the Town Report from 1993. It’s just fascinating how the names stay the same. It’s amazing that people have the endurance, but the issues they are dealing with today were then, so maybe 2008 will make another push for something.

Selectman Robinson wished everyone happy holidays and thanked all of the employees of the town, the volunteers and those who made a financial commitment to the betterment to the town through various ways and wished everyone a safe and Happy New Year.

Selectman Jasper said he remarked to the Budget Committee the other night that when he first started doing budgets, he was very young at the time—21 years old—the combined town and school budgets were under \$10 million and now they are at \$68 million. Selectman Maddox interjected then it was Selectman Jasper’s fault the budget went up. Chairman Jasper said Hudson has one of the lowest tax rates and the lowest budgets of any comparable town. Hudson has done a very good job in keeping the taxes down. It is remarkable when he thinks back, when the whole budget was in a 1” binder. It seems like yesterday. He, too, wished everyone a **Merry Christmas and a safe and happy New Year.**

Selectman Massey said he couldn’t help but reflect, after Selectman Robinson said it, but long ago and far away, an old timer told him that the secret to getting through the winter was to figure out where the plow over-plowed in your driveway and even if you had a garage, you parked your car just on the other side of the over-plow, so the only thing you ever had to dig out was the over-plow. His first son was born the week after he heard that in the storm of 1969. His car, at the end of the driveway, was buried above the top of the roof of the car. Because he had it just at the back, he only had to dig about 2’ of snow. It was a valuable lesson.

10. NONPUBLIC SESSION

Motion by Selectman Maddox, seconded by Selectman Robinson, to enter Nonpublic Session under 91-A:3 II (a) 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 has a right to a meeting and requests that it be open, in which case it shall be granted; (b) Hiring of a person as a public employee; (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community, carried 5-0 by roll call vote.

Chairman Jasper stated Nonpublic Session was entered into at 9:25 p.m., thus concluding the televised portion of the meeting. Any votes taken upon re-entering open session would be on the Board’s next agenda. The public was asked to leave the room.

Motion by Selectman Massey, seconded by Selectman Robinson, to give \$250 merit awards to HPD Executive Secretary Dorothy Carey, Animal Control Officer Jana McMillan, Lt. William Avery and Lt. David Bianchi, as recommended by the Chief of Police, carried 5-0.

Motion by Selectman Robinson, seconded by Selectman Maddox, to hire Amanda Boucher as Fire Dispatcher, effective January 6, 2008, at \$13.95 per hour, probation step, in accordance with IAFF Local 3154, as recommended by the Fire Chief, carried 5-0.

11. ADJOURNMENT

Motion to adjourn at 10:04 p.m. by Selectman Robinson, seconded by Selectman Massey, carried 4-1. Selectman Massey voted no.

Recorded by HGTV and transcribed by Priscilla Boisvert, Executive Assistant

HUDSON BOARD OF SELECTMEN

Shawn N. Jasper, Chairman

Benjamin J. Nadeau, Vice-Chairman

Kenneth J. Massey, Selectman

Richard J. Maddox, Selectman

Douglas K. Robinson, Selectman