

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the August 28, 2007 Meeting**

1. **CALL TO ORDER** by Chairman Shawn Jasper at 6:33 p.m. in the Selectmen's Office at Town Hall.

2. **PLEDGE OF ALLEGIANCE** led by Selectman Ben Nadeau.

3. **ATTENDANCE**

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

Staff/Others: Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Sean Sullivan, Director of Community Development; Marilyn McGrath, Planning Board member, ZBA alternate; Lucille Boucher, James Stafford-Rogers and four other Seniors; Fire Chief Shawn Murray; Deputy Fire Chief Neal Carter; Deputy Fire Chief Rob Buxton; Howard Dilworth, Jr; Tom Tollefson, HLN; Ryan Halliday, TEL

4. **NONPUBLIC SESSION**

Motion by Selectman Robinson, seconded by Selectman Maddox, to enter Nonpublic Session, pursuant to RSA 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; and (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting, carried 5-0 by roll call vote.

Nonpublic session was entered into at 6:35 p.m., terminated at 8:21 p.m. At 8:22, Chairman Jasper declared a 10-minute recess.

5. **PUBLIC INPUT**

No one addressed the Board at this time.

6. **NOMINATIONS & APPOINTMENTS**

This will be on the September 11<sup>th</sup> meeting agenda.

7. **CONSENT ITEMS**

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

A. **Assessing Items**

- 1) 2006 Abatement, Joe Joe's Real Estate Investment LLC, Map 162, Lot 3 w/recommendation to deny.
- 2) 2006 Abatements, Map 162, Lot 5 and Lot 4 w/recommendation to deny

B. **Water/Sewer Items**

C. **Licenses and Permits**

Raffle Permit by the Greater Hudson Chamber of Commerce for September 19, 2007 at King's Court

D. **Acceptance of Minutes**

E. **Calendar**

8/29 7:00 CTAP in BOS Mtg. Rm.	9/15 9:00 a.m. Town Auction at Highway Garage
8/30 1:00 Trustees of Trust Funds BOS Mtg. Rm.	9/18 7:00 Cable Committee in BOS Mtg. Rm.
9/01 9:00 Dedication—Poor Farm Cemetery	9/19 5:00 Water Utility in BOS Mtg. Rm.
9/03 Labor Day Holiday—Town Hall Closed	9/19 7:00 Library Trustees in BOS Mtg. Rm.
9/04 7:00 Board of Selectmen in BOS Mtg. Rm.	9/19 7:00 Hudson Seniors in CD Mtg. Rm.
9/05 7:00 Planning Board in CD Mtg. Rm.	9/20 7:00 Budget Committee in BOS Mtg. Rm.
9/10 6:30 School Board in BOS Mtg. Rm.	9/24 6:30 School Board in BOS Mtg. Rm.
9/10 7:00 Conservation Commission CD Mtg. Rm.	9/24 7:00 Recycling Committee in CD Mtg. Rm.
9/11 6:30 9-11 Memorial Svc at Library Park	9/25 7:00 Board of Selectmen in BOS Mtg. Rm.
9/11 7:00 Board of Selectmen in BOS Mtg. Rm.	9/26 7:00 Planning Board in CD Mtg. Rm.
9/12 7:00 Planning Board in CD Mtg. Rm.	9/27 7:00 Open Space in BOS Mtg. Rm.
9/13 5:30 Sewer Utility in BOS Mtg. Rm.	9/27 7:00 ZBA in CD Mtg Rm.
9/13 6:30 Recreation Committee at Rec Center	
9/13 7:30 ZBA in CD Mtg. Rm.	

Motion by Selectman Maddox, seconded by Selectman Massey, to take up Item 9-B at this time carried 5-0.

8. **OLD BUSINESS**

A. **Votes taken after Nonpublic Session on August 14, 2007**

Motion by Selectman Maddox, seconded by Selectman Robinson, to authorize the Chairman of the Board to send a letter to the State Liquor Commission that recommends that Johnny's Pizzeria's liquor license not be renewed, carried 3-1-1. Selectman Maddox voted no and Selectman Nadeau abstained.

Motion by Selectman Maddox, seconded by Selectman Robinson, to hire Christine Curtin as Assistant Town Clerk/Tax Collector, effective August 26, 2007, Grade VII, Step 7 at \$17.05 per hour, (a lateral move), in accordance with the Admin & Support union contract, as recommended by the Town Clerk/Tax Collector, carried 5-0.

Motion made by Selectman Massey, seconded by Selectman Nadeau, to hire the following Recreation Dept staff: Leslie Desrosiers as Soccer Director for a fee of \$1,275, effective Aug 15, 2007; Matthew Brownrigg as Assistant Soccer Director for the fee of \$775, effective August 15, 2007; Ed Peterson as the 07-08 Instructional Program Basketball Director for the fee of \$1,000; Dave Yates as the 07-08 Basketball Director for the fee of \$2,150; Cef Torres as the 07-08 Assistant Basketball Director for the fee of \$1,550; Dave Yates as the 07-08 Teen Basketball Director for the fee of \$750; an Susan Kaempf as the 7-08 Basketball Administrator for the fee of \$550, carried 3-2. Selectman Maddox and Selectman Robinson voted no.

Motion made by Selectman Nadeau, seconded by Selectman Massey, to amend the fees of Cindy Holton as Ladies' League Softball Director and Dave Yates as Men's Softball Director, effective April 26, 2007 from \$500 to the correct amount of \$600, carried 3-2. Selectman Maddox and Selectman Robinson voted no.

Motion made by Selectman Maddox, seconded by Selectman Robinson, to hire Shawn Chamberlain as a Firefighter EMT-1, effective August 26, 2007 at \$14.16, in accordance with IAFF Local 3154, as recommended by the Fire Chief, carried 5-0.

Motion made by Selectman Maddox, seconded by Selectman Massey, to hire Carol Iannaco as part-time receptionist in the Highway Department, at a rate of \$13.40, effective August 31, 2007, as recommended by the Road Agent, carried 5-0.

Motion made by Selectman Maddox, seconded by Selectman Robinson, to hire Debra Winter as Secretary in the Community Development Department, at \$14.55 per hour, effective August 26, 2007, in accordance with the Admin & Support contract, as recommended by the Director of Community Development, carried 5-0.

Motion to adjourn at 10:09 p.m. by Selectman Maddox, seconded by Selectman Robinson, carried 5-0.

**B. Senior Addition to Community Center**

Selectman Massey said the Board authorized advertising for architectural firms to respond to the RFP. He also had four design engineering firms that were sent the packet. Those four firms were Bedford Design, Hayner Swanson, Keach Nordstrom and Maynard and Paquette. None of them chose to respond. They did receive three bids from two architectural firms and another construction company, but the construction company did not meet the bid specs. The Building Committee met on August 16 and August 21 to review the two bids. It came down to the fact that the recommendation of Berard Martel was based on the fact that their focus on business today is on senior-related projects. They contacted at least one of their references, who said not only did they have a good working relationship with them, but they would definitely use them again. Finally, the Town Engineer, who is part of the building committee and met with them on this, has had some business relationships with Berard Martel and, on the basis of those relationships and the understanding they are focused on seniors, the committee voted unanimously to recommend to the Board to award the contract to Berard Martel. Working with Town Administrator Steve Malizia, Atty. Steve Buckley was contacted, who drafted the contract that was in the packet.

Senior member Lucille Boucher was recognized and asked if she had anything to add. She declined.

Motion by Selectman Massey, seconded by Selectman Nadeau, to award the contract for architectural services to determine the feasibility and estimated cost to build a Senior Center addition to the Community Center to Berard Martel Architecture, Inc., in the amount of \$14,855; and further, to authorize the Chairman of the Board of Selectmen to sign the contract on behalf of the town, carried 5-0.

**C. 3<sup>rd</sup> Bridge over the Merrimack River**

Chairman Jasper said on April 10, 2007, Selectman Maddox brought this up under Other Business. At that time, it was indicated that this should be brought up again in August, which is why it's on tonight's agenda. Chairman Jasper volunteered to hand carry the petition to the Public Works Committee. Selectman Robinson concurred. Selectman Nadeau asked if they could forward this to the NRPC, too. Chairman Jasper thought a letter could be sent, telling them that the petition was forwarded to the Public Works Committee, and the number of signatures. Selectman Nadeau thought that was fine. Selectman Maddox said that letter should also be sent to all of the State Representatives, too, and the Senator, so there are aware of what transpired, that the people wanted a bridge and knew there was going to be a toll. Chairman Jasper said that would take place, without objection. Mr. Malizia asked if they should stop taking signatures. Chairman Jasper said yes.

**9. NEW BUSINESS**

**A. Liaison Reports**

Selectman Nadeau didn't have anything to report.

Selectman Massey said the new police recruits that were sworn in last week, Eric Farrerer and Steve McElinney, are at the Academy in Concord. They are in the final stage of doing the background check on a third officer for the existing opening.

]Detective Doug Dubuque and Officer Pat Broderick are attending the Immigration Customs Enforcement Agency Academy in Burlington, MA. They will be learning all phases of immigration law and will also learn about programs offered by the ICE to assist victims of crimes who are illegally immigrants. The training is paid 100% by the ICE Agency.

]Hillsborough County Superior Court has granted the request to have two sobriety checkpoints during the Labor Day weekend, from 9:00 p.m. to 3:00 a.m.

**Selectman Maddox** said with all the hoopla in the news in regards to EEE, and all of the things that are going on, more to their south, he wanted people to know that Hudson hasn't been waiting for a problem; they've been working on this, and the Board of Selectmen voted and the Budget Committee agreed, they have \$20,000 budgeted for mosquito control activities. In January 2007, the town, through its vendor, requested and received the permit necessary, in case they needed to spray, so there is one in place before they even need it. This month, the Municipal Pest Services began larvaeciding existing catch basins and red maple swamps in the town in an effort to reduce areas where mosquitoes breed. Also, mosquito traps were placed in strategic areas of town so they can be caught and analyzed in the lab. A dead bird has also been transported to the lab in Concord. As of August 20, all Hudson-trapped mosquitoes and the dead bird were tested negative for Triple-E and West Nile Virus. Spraying remains an option, but until there is a need, it won't be done. He just wanted to make people aware that this behind-the-scenes activity was going on. For once, Hudson is in front of the curve.

**Selectman Robinson** wanted to update the Board on the Recycling Committee. On January 2, 2007 the Board of Selectmen created a Solid Waste and Recycling Committee for the town. On April 24, 2007, they renamed the Solid Waste and Recycling Committee to the Recycling Committee. With that, the Board gave the committee some specific instructions: Get information out regarding the new contract/process; work with the schools, cable, civic groups to spread the word on the recycling effort; education people on how to dispose of electronic/hazardous waste; monitoring of the recycling process. The entire function and goal of the Recycling Committee was to educate the residents within the town of Hudson. Since January, there were to be seven members. As of last night, they lost a member and are down to four. Attendance at the meetings has been spotty, at best—with one member missing several meetings. In looking at the progress of the Recycling Committee, they are thankful for the video that came out, but that was the product of him, Kevin Burns and Pinard Waste. When they look at work with the schools, civic groups, cable to spread the word on recycling, that was done by Corcoran, who came into town, at the request of Kevin Burns. In looking at educating the people at how to dispose of electronic and hazardous waste, that hasn't happened. In talking about recycling progress, Len Lathrop has kindly put the thermometer in his paper, as a rate of progress. He was sorry to say that the charge hasn't been fulfilled by the Recycling Committee. The committee has been spending time trying to research reports regarding solid waste. As he is on vacation this week, he informed the committee chairman he wouldn't be at the meeting last night, but asked him to review, with the committee, what the vision of the committee is, what the committee is going to be doing in the future, and how they expect to communicate that with the residents of Hudson. He got an e-mail this morning that said, "At tonight's Recycling Committee meeting, I was tasked with sending you a request for information. The information the Committee is seeking is: The last three years of tonnage of waste reported out as follows: 1. Year over year totals for each of the following categories: Waste, Recycle, Transfer (what was picked up at the old landfill); 2. Quarter over quarter for each of these years, same as above. 3. What our current numbers are for the same above. The estimated tonnage of waste that was picked up for the same periods which was picked up out of our service area. In other words, waste which was picked up in bordering towns by mistake. This item is a request which may need to go to the BOS. If it is believed that Waste Management picked up waste in neighboring towns, is it possible that you can call these Towns to inquire if they have seen a significant increase in their waste stream and if they can tell us the estimated tonnage." Selectman Robinson said he replied to the individual, and copied the Board. "Recycling...11.5%; Waste...88.5%; transfer....same as this year. This year....recycling: 29.5%....up 18%; waste...70.5%; transfer...same as last year. I must again remind all members of the Recycling committee that the charge and direction for the committee is to educate the public on recycling." The answer he got was, "Thanks for the input and, yes, I fully understand the charge of our team. If our team is to educate the public regarding recycling, then it's only fitting we give them the hard data to chew on so they can actually see the benefits, both in cost savings and environmental impacts. To do this, we need a little historical information for comparison purposes. Hence, the three years' data is requested." The Recycling Committee has had this issue come up before, dealing in solid waste, wanting to go off on their own tangents and not fulfilling the charge.

*Motion by Selectman Robinson, seconded by Selectman Massey, to disband the Recycling Committee.*

Selectman Maddox said that was quite the litany, but before they disband the committee, they should bring in the Chairman and the Vice Chairman, or the four of them that are left in, and try to get them back on track before they just send volunteers over the cliff. They may be misguided or misinformed, but just to throw them away is not good recycling. There are issues to be resolved, but just disbanding that committee is not the answer, in his opinion. He would much rather bring them in and say, "Can you get on this track? Why are you going down this?" and try to refocus where the Board would like that committee to go. Selectman Robinson said when the committee was first formed, two or three of the initial members did voice concern that they were against the contract, from Day One. One of those folks has signed on to acceptance of the contract. They discussed this in February, April and last night; three strikes and you're out.

Selectman Massey said he shared Selectman Maddox's opinion. It's important that they understand that this committee was important and has the opportunity to create substantial cost reductions for the town in the future and, equally important, given the trend in the world today, mandatory recycling, at some point, is going to happen and it's better to be there because you want to be there than because you are forced to be there. It's appropriate to bring in the committee and reset the charge and if they are willing to do that, then they go forward. If not, then they look at other options. Selectman Nadeau agreed with Selectmen Massey and Maddox. He was on that committee as the Selectmen's liaison and he thinks they can still work with them. That's the way they should go. Have them come in. Selectman Robinson asked how many years Selectman Nadeau was the liaison to that committee. Selectman Nadeau said it was only six months, if that. Selectman Robinson asked how many meetings were held. Selectman Nadeau said one, just when the new thing started.

Chairman Jasper said he knew he was going to be on the losing side, but nonetheless, he wanted to say his piece because this has been a very painful process, with this committee. Back, well before the contract started on July 1, they were getting

bombarded with what they needed to do, they wanted to spend money, etc. They were told to wait a minute, that it was a little bit early. A couple weeks ago, the Road Agent told them that the committee has done virtually nothing towards recycling. The one thing here that tells them the committee is so far off base and never going to get back on is their question, the estimated tonnage of waste that was picked up for the same period which was picked up out of our service area. In other words, waste that was picked up in bordering towns by mistake. This committee obviously feels that the town was paying to pick up trash from other towns. Everyone knows that if the town's trucks had been going over the lines into Londonderry, Litchfield, Pelham, anyplace, the Board members would have been getting phone calls off the wall with people asking if they knew what was going on. If that had ever happened, they would have been bombarded and the fact that they have a committee that thinks, seriously thinks, that that was going on tells him there is a very serious problem with this committee. They can certainly bring in the chairman and vice-chairman, which they are going to do, but having been dealing with this committee now for these many months, and having the Road Agent saying they have zero accomplishments, he didn't think it was worth the effort. He hates to be that harsh on the committee. He's sure they want to do the right things, but where they are headed, it's not any place that he can figure out from the e-mail that will do them any good at all.

Selectman Robinson said he'd be willing to amend his motion to have the Recycling Committee unite with the Green Team. Chairman Jasper didn't think they wanted to do that. Actually, the recycling effort might be something the Green Team might want to fold into their mission, but he didn't think the Board should try to just automatically put this membership on the Green Team. There, perhaps, is not a symbiotic relationship between what the Green Team is trying to do and the direction of the Recycling Committee. There may be some good things coming out of the Green Team and this might actually be a way to kill that, if they were to do that. If any of them want to apply for the Green Team, that's certainly something. Selectman Robinson said he'd stand corrected. Recycling is important and active and vibrant. Recycling Committee is important. Those committed to the charge to what the Selectman have asked of them is important. Under the present recycling team, those who are volunteering on that, while he greatly appreciates their volunteerism, it needs to be geared to what it's being asked of them, and that's what's important.

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

*Chairman Jasper asked if anyone wanted to take any further action, such as asking the Chair and Vice-Chair to come to the Selectmen's next regular meeting. Selectman Maddox so moved, seconded by Selectmen Nadeau and Massey. Motion carried 4-1.* Selectman Robinson voted in opposition.

**Selectman Jasper** said he met with the Fire Chief this morning and went over a number of things, a couple of which are on the agenda for tonight. They currently have two firefighters who are out of work with injuries, one work-related and one not work-related. One of them might be out for an extended time. Currently, no one is on the "farm team," as they've done in the past, hired people who were full-time temporary. They don't have anyone right now, so they will continue to cover those shifts on overtime. The bids are in for the new engine and the Chief will be coming in with the Department's recommendation on that shortly. The Chief will be coming forward with the preliminary draft report of the facilities study at the workshop and the Board will be getting copies of that. They did not get the grant for a new tanker and gear. There were an awful lot of requests. Selectman Maddox said next year, they go for the Quint. Continuing, Chairman Jasper said things continue to go well at Robinson Road, with that station being opened Tuesday through Friday, during the day. Everything is working out well there.

**B. Gateway Industrial Development Corporation**

(The discussion on this item was held prior to Old Business on the agenda on a vote that changed the Order of the Day.)

Doug Brown, President of Gateway Industrial Development Corporation, and Mike Monks, Chairman of the Board, were recognized. Mr. Brown said they were there to explain who they were and what they offer, with the hope that the Board will bear his resource in mind and maybe be able to connect at a future time to make some economic developments work. Gateway is a private, not for profit corporation. He answers to a Board of Directors, the list of which he provided to the Board of Selectmen, and he answers to them and they represent the greater Nashua region, every community except Nashua, itself. They don't do business in Nashua, but they kind of wrap around the city—Hudson, Merrimack, Milford, etc. They are part of a similar organizations in the state, whose goal is to work with area communities on various economic development initiatives, with the purpose being job creation and enhancement of their tax base, in whatever way those communities see that goal. They focus on job creation, which is the "meat and potatoes" of what they wanted to talk about tonight—what they offer in that regard, and some basic points of how a deal is formulated that they may be able to help. They can access CDBG funds, of which every community has an allotted amount every year. They can leverage about \$20,000 of block grant money for every job that's created. What they hope to find are opportunities in communities where there's a company expanding or moving to that community, investing in real estate expansion or equipment that's going to result in job creation and they can come in and loan into that deal, behind a bank. They can take a rear position in a deal, with the idea being to make sure that deal happens. If someone has a deal that's on the cusp with a bank, especially now, banks may be a little more skittish, if they are creating jobs and looks like a good deal to the community and they want it to happen, his company would like to come in and push that over the line. End result of the loan they may do to a company, as they pay that back, the principal of that loan stays in a revolving loan fund that they have, and the guidelines have been blessed by the state, and that stays in the region; it doesn't go anywhere else. The idea is—and they're new, so they don't have the fund yet—you can capitalize revolving loan fund that doesn't have this CDBG aspect to it, so it's quicker to access, easier to manage and can help the region and their companies get to those goals, which is job creation, primarily, and enhancing property tax base, secondarily. The material they had provided for the agenda packet would give some good background on that. There's more information there on the block grant program than most humans want to know, so that's why he tries to bullet it down. If there's a company in town

looking to make an investment, they are going to be creating jobs, and that's all anybody needs to know. He'd like to get a chance to introduce himself to them and let them know what his company offers.

Mr. Monks said once they work with a CDBG grant, those funds come back to Gateway, and then they lend them back out again. Those funds that they are lending out would be focused more towards a real small business, where someone is looking for \$25,000, \$45,000 or \$60,000. When they are looking at the CDBG funds, they are looking probably where there would be the creation of somewhere between 15 and 20 jobs, which would equate to somewhere between \$300,000 and \$400,000 because to do that on a lower scale is cost-prohibitive. At this point, unlike other regional development corps that were formed a number of years ago, they are virtual. In his real business, he deals with the sale and lease of office buildings and industrial buildings throughout the state. This is a separate endeavor, where they are trying to enhance the growth in the state and in the area, to bring more jobs to the towns and to the cities.

Selectman Maddox said it was good that they came in, but didn't think they were going to be creating that many jobs. However, the Hudson Chamber of Commerce is having their annual business expo in the upcoming weeks, and it would make a lot of sense for Gateway Corp. to attend that function because the people there were the ones they should be talking to. Mr. Monks said they keep in touch with Sean, because people come in, who are thinking of expanding their business, people that are thinking of the town. They are meeting with the governing bodies of all the towns they are in just to put the word out. The Board members are well known in the community and someone at a function may say something that would make that member think of Gateway. Everyone is looking for a way to leverage, and his company is trying to make the deal come together. Mr. Brown said if one of these deals were to come to pass in Hudson, they will be back before the Selectmen, asking that there be an application created for that CDBG. The other function of coming to the meeting tonight is to introduce themselves because, hopefully, they will be back to present an opportunity and outline it with a business owner, and that can be a little awkward if they hadn't come in first to meet the Board. About a year ago, they were close to doing one of these deals in Merrimack, and they introduced themselves and pitched a deal all in the same night. It worked out OK, but it could have gone the wrong way awfully quickly. They want to make people know who they are, to be that much further ahead.

**C. 2007 Staffing for Adequate Fire and Emergency Response Grant (SAFER)**

Chief Murray, Deputy Chief Carter and Deputy Chief Buxton were recognized. Over the past couple of years, they have applied for the SAFER grant, which is staffing for adequate fire and emergency response grants, through the US Department of Homeland Security. This is the same agency that coordinates the Assistance to Firefighters grant. On August 1, the Fire Departments were notified that Congress had appropriated \$115 million for the DHS to fund the SAFER Act. The funds are available until September 30, 2008 and the grant must be submitted electronically by August 31, 2007. Some of the major points are to award grants to volunteer combination and career fire departments to help the departments increase their cadre of firefighters. SAFER grantees will assist local fire department staffing and deployment capabilities in order to respond to emergencies whenever they occur. This ensures the community has adequate protection from fire and fire-related hazards. One of the primary activities of this grant is the hiring of firefighters, which involves a five-year grant process. This activity assists fire departments to offset a portion of the salaries of newly-hired firefighters. The hired positions must be in addition to any authorized and funded active firefighter positions that may be there. The grant, over a five-year period, requires the awardee to match an increasing proportion of the salary. In the fifth year of the grant, the awardee must absorb the entire cost of any positions, as a result of the grant. The grant also helps fire departments attempt to meet national standards, specifically NFPA 1710 and NFPA 1720, standards that deal with the organization and deployment of fire suppression operations, emergency medical operations and special operations, standards which he has talked about in the past. This time around, the federal share of the grant and benefits are limited to a total of \$105,425 per position, over the five-year performance period. There is no funding limit for any application or any limit to the number of positions eligible for funding, per the application. In the packet, he attached a spreadsheet that demonstrates the federal v. town of Hudson share, based on a firefighter-paramedic starting salary and a firefighter Intermediate starting salary. There are a number of spreadsheets in the agenda packets. He turned the floor over to Deputy Chief Carter, who has worked on the planning aspect. During the presentation, which included a PowerPoint demonstration, Deputy Chief Carter reviewed some statistics, justification for applying for the grant, and outlined three options for the Board's consideration, if it authorized the Fire Department to apply for the grant.

Selectman Maddox said the last time this was before them was to put it on the ballot, which he supported, and said he wouldn't be looking to hire any more firefighters, but the SAFER grant comes before them. They have to make a decision on what they want to do. He didn't have a problem applying for this, much like the tanker program, but unless there was going to be a savings, he didn't wish to add any more staff to the Fire Department. From listening to the scanner and riding with the Fire Department occasionally, there are days when they need 50 firefighters, then there's days when there's nothing going on, and they have to balance that. When he is having a heart attack, he wants all 50 coming, but if the cause of his heart attack is his tax bill, he has to back up. Even for two firefighters, this is \$400,000 plus to the town for the first five years, plus the total cost of ownership. He has no problem applying for this, and if they get it, they'll make a decision then. The only thing he could see is if they went for one to add a third person to Robinson Road, but adding four firefighters at this time, he thinks they have other higher priorities. Chairman Jasper said if they apply for it, they have to accept it. They can't apply for it, get it and then say no thanks. Chief Murray said there is one opportunity; when they start looking to award the grant, they will contact you to see if you still are interested and able to accept the grant.

Selectman Robinson asked if there were two or three firefighters at Robinson Road. Deputy Carter said in Suppression. The third is the Training Captain. The Training Division was moved up there so when he had time, he could supplement that crew. He's there, but he's the Training Captain, which is his primary duty. He could be at Central training the shifts, or he could be at the south Hudson station training and he wouldn't be available to respond on that engine with the two members.

Selectman Massey said he wasn't a fan of doing thing because grants were available. The fact that there happens to be money available is only because Congress has created it. There is no guarantee that on out years Congress will fund it. There's the first problem. They're committing to these position, without any guarantee of the federal funding. Secondly, he wasn't here for the fire presentations in July, but he wasn't aware that they set any priorities for hiring people for the Fire Department. If they are, then he missed it. The only reason they are doing this is because federal money is available. Secondly, he heard that if you have a certain amount of staffing, then the Captain is going to change his working hours, which starts pulling away from the primary function of that individual, which is training. Finally, this being the first time they've seen any costs, first of all there is no indication whether there are going to be capital equipment costs required, no indication of what the costs of staffing Robinson Pond on a more permanent basis is, so they don't really know the full costs. Even when he looks at the cost on the back, and you can pick any one of them, but if you look at the cost of four firefighters, they are showing a cost of \$250,000 the first year, with \$151,800 which is the 90% match, but they are showing for IMT's \$237,000 which is \$13,000 less, but they're still showing the same federal match. All of the numbers are somewhat subject to interpretation. Equally important, they don't factor in across the years any cost of living adjustments and step adjustments, etc., so these costs are not what the town would actually incur. Even though it's a federal program, and they could apply for it, he will not support doing this because there hasn't been enough discussion as to whether this is important to the town and, equally important, they've got several other areas that are coming up this year and he didn't want to wind up having to short-circuit them because they've got a grant application.

Selectman Robinson agreed with the two previous Selectmen. For four firefighters, it will cost the town \$829,000 because they don't know the incidental costs. The federal share is \$421,000, someone still has to pay the \$421,000 that comes out of his taxes. He likes that as much as he likes paying taxes. If they go to two firefighters or paramedics, the share would be two-ten against the town's share of \$14,000. It's important to staff the community with all the firefighters they would possible need. With that said, with Robinson Road just getting going, maybe it might be wise to see what the numbers are, as they come in throughout the rest of the year—put their priorities in order. They got a fire truck coming, a station to take care of—a lot of housing issues to take care of. He'd love to put 2, 3 or 4 more firefighters up there, but timing is everything and maybe this isn't the right time for this staffing. It's great to have half the loaf funded to them, but someone has to pay for the half of loaf and he didn't think it should be Hudson. He can't vote for this, at this point, because of everything else that is on the table for the Fire Department.

Selectman Maddox said the numbers don't all jive. It says 2007 at the top of all the spreadsheets, but they are already in FY08, so this wouldn't start till FY09. He could see them saying one firefighter, if there was a way to put that firefighter at Robinson Road and with the caveat that, if anyone called in out at the Lenny Smith Central Station or at Burns Hill, that firefighter would then come over to the other station, so they'd save some money on overtime. This person would be at Robinson 50% of the time and filling in 50% of the time. Then, maybe, there is a cost savings to the town. The feds are paying half of it. Maybe there's something there, but just to add more firefighters at this time, he can't vote for it.

Deputy Carter said they would realize some cost savings because, currently, when they staff the Robinson Road Station during the days, they cover the whole town, not just the Robinson Road Fire Station. They respond first out of there to calls in that area, to reduce the response times in that district, but they also cover the rest of the town. So, when Central Station goes out on an engine call, they don't have to put out a tone for call-back because Robinson Road is there to cover the ambulance. Burns Hill is there to cover the engine. They do a lot more than just run to incidents in the north end of town. They wouldn't have to put out the cover tones; they wouldn't have to bring back full-time personnel to cover, or the call department. When they staffed the station July 1, the engine has already responded first to two structure fires. One was a barn on Kimball Hill Road and they got there five minutes before the next two trucks. If it wasn't for the quick response of that truck, he didn't know where that barn would be today. They've already been to hazardous materials spills, they've responded third due to a fire on Belknap Street, so there is a need today for that station to be expanded. If the Board doesn't like Option A, the four people, then one is a stepping stone to get them closer to what they need.

Chairman Jasper said he told the Chief this morning he wasn't sure how he was going to vote on this. He wanted to listen to the discussion first. The Chief had asked if he should bring this to the Board, and Chairman Jasper had told him yes. He then thanked the Fire personnel for a good presentation, which gave them the information they needed to make a decision. One of the things they need to look at is if the grant was not available, would this be something they would be doing this year? In his mind, it isn't because Robinson Road has been open only for a few weeks. They haven't seen, on a yearly basis, what the impact of that is. They've got the facilities' study underway and, in all likelihood, they know what it's going to result in, what the needs are for spending in the next few years—the facilities' location to see where they are there. There are a number of irons in the fire, if you will. SAFER grants have been around for a long time. He doesn't know if they will be available in the future, but they've been around and the town has taken advantage of them in the past. At least, they've applied. This isn't, necessarily, a one-time opportunity. Even though this is federally funded at this time, they still have to put it on the ballot for the voters to accept the responsibility, and it could interfere with other priorities. This year, they have a need for police officers and the more people they put on the ballot, the less likely they are to get any or all of them. Providing staffing from 8:00 to 8:00 is probably something they should do, but he thinks they have made significant strides this year. There are still some efforts that can help them on the call end to take care of some of the other times, and they need to have a longer period of review to see what their real needs are there and how the whole plan comes together, and they are not there yet. He feels good that they have done the right thing for the town and are in a better position than they were a year ago.

Selectman Robinson said it was good presentation and he wasn't saying no to two firefighters, just not now. "God bless you guys for what you do for us and for the town. You guys are wonderful."

Selectman Nadeau asked when they would be able to back out of the SAFER grant, if they applied for one or two people and then decided not to go with them. Chief Murray said it cuts it very close. It could be December or January. The grants are late this year. They are supposed to come out in June, but they didn't come out until August 1. Chairman Jasper said that could create a problem. They may not be able to take them off the warrant, at that point. They have to separate the money from this, where the money is coming from, and look at it as if it's a priority for the Board. Is this something they would do if the monies weren't available? Ultimately, five years is a very short period of time and it will be 100% responsibility for the taxpayer. Selectman Maddox said there was a section in the SAFER grant about recruitment and retention of volunteer firefighting activity. He asked if that could be utilized toward the call force. Chief Murray said yes, that's what it's there for. Selectman Maddox asked how they could go about possibly doing something on that side of the SAFER grant. Chief Murray said typically, they usually look at it as a whole package. If you're going to go for manpower, then you add that call and volunteer component into a bigger plan to show that you're trying to increase the organization overall. Selectman Maddox said he was just trying to get something out of federal dollars. Something they all want to do is retain and keep well-trained the call force. Chairman Jasper said the problem is today is the 28<sup>th</sup> and it's due the 31<sup>st</sup>. It's something to look at for the future, but it's a little late with this one. Selectman Massey said it's not a 50-50 match; it's 1/3<sup>rd</sup> federal, 2/3<sup>rd</sup> local.

Motion by Selectman Maddox to authorize the Fire Chief to apply for the 2007 SAFER Grant of the US Department of Homeland Security did not receive a second, so the motion died. The Board took no further action.

**D. Litchfield Dispatch Service Fees**

Fire Chief Murray said a number of months ago, there was a discussion about the Litchfield Fire Department dispatch fees that they pay for Hudson to dispatch for them. Back on January 1, 1992, they entered into an agreement with Litchfield, that for \$2,500 a year, they would provide them with dispatch services. Since that time, they haven't looked at those fees, so he has done that. In the Board's packet, there was a spreadsheet which shows a dispatch analysis. If you look at the spreadsheet before 2007, it basically breaks down the number of calls that Litchfield has had since 2002. If you take the \$2,500 annual fee they've been charged and run it through to a per call basis, in 2002, they were paying \$5.07 per call. Over the years, with the increase in calls, up through 2006, they actually lost money because the number of calls go up, but the cost of services haven't increased. It ends up around \$3.58 a call. He looked at this to try and determine a fair and equitable fee per-call basis. He took Selectman Jasper's suggestion of using the Hillsborough County Sheriff's dispatch fees that they charge communities in Hillsborough County for police dispatching. His recommendation that beginning on October 1, 2007 and annually after that on January 1 of each year through 2010, increase and go to a cost per call basis. On October 1, \$6.00 per call; January 1, 2007, \$8.00 per call; January 1, 2009, \$10.00 per call; and January 1, 2010, \$12.00 per call. Over the next three years, this will give them an opportunity to determine where they are going with their facilities and, as they all know, the dispatch center is going to need some work. It will give them a chance to come back and reassess that at a later time. Overall, over the next three years, he estimates it will call Litchfield an extra \$6,000 a year. He's met with Chief Schofield and he received the same package the Board got. They discussed it and, overall, he did not have any issues with it. If the Board wishes to pursue these new charges, he asked for consideration to allow the Town Administrator and him to renew the dispatch agreement that was made with them back in 1992. There is a copy of that in the packet, as well. The only real difference there is that in the new agreement with them, he mapped out the increase in per calls dispatch charges over the next few years. The agreement also has a out-clause, with 30 days written notice by either party, and also allows them to go back and renegotiate any terms, should it become necessary in the future.

Selectman Robinson asked why January 1 and not July. Chief Murray said that's the start of Litchfield's fiscal year. Selectman Nadeau asked if this money goes into the General Fund. Mr. Malizia said yes. Selectman Nadeau asked if it could be put into a capital reserve for the dispatch. Mr. Malizia said if they want to so appropriate that during the budget cycle. Establish it through the warrant and fund it through appropriations every year. Selectman Massey referred to the spreadsheet for Litchfield, January 06-December 06. How did they arrive at the \$3.58? By 698 calls divided into the \$2,500? Chief Murray said yes. Selectman Massey asked how they arrived at the \$6. Chief Murray said they followed Hillsborough County's fee structure. Selectman Massey asked why they should follow someone else's fee structure instead of basing it on the actual cost of supplying that. Mr. Malizia said because they couldn't afford it. Chairman Jasper said Chief Carpentino came in a number of years ago with a proposal, and he simply took the total cost of dispatch and divided it by the calls attributed to Litchfield and Hudson. The numbers were astronomical for Litchfield. Obviously, if Litchfield went away, not one dollar of Hudson's cost would go down, and they wouldn't lay off any dispatchers. He suggested they look at Hillsborough County because Hillsborough County is really their competition. They dispatch for a number of communities, fire and police, but currently Litchfield fire, and just very recently—he's a member of the Executive Committee of Hillsborough County—and the sheriff went through and looked at dispatch costs and did an analysis of what was a reasonable amount, and this was the same schedule he came up with, so it essentially keeps pace with their "competition." It's a fair deal for Litchfield taxpayers and for what it could potentially hurt Hudson, it's a good deal for Hudson's taxpayers. Selectman Massey asked how they arrived at the increments of \$2 per year. Chairman Jasper said Hillsborough County was in the same situation Hudson was. They had not done an increase in the dispatch fees for quite awhile and in order to get where they felt they ought to be in Hillsborough County, they'd be going from \$4 something to \$12 and it was felt that was too much to ask a small community to absorb at once, so it was incrementally done. At the time the contract expires, the process will be looked at again to see what a reasonable number is. While he suggested they look there, he wasn't telling the department to do exactly what Hillsborough County did, but they looked at it and saw it as a reasonable approach. Selectman Massey said if he looks at I in the proposed new contract, because this has an out clause that has 30-days notice, does this eliminate the need to go to the town warrant to get the voters to approve a multi-year contract? Chairman Jasper didn't believe so because there is no cost associated with the town of Hudson; this is a contract to provide a service, and he didn't think that falls under the guidelines. They are under two different rules because the original one was under the Town Council,

and they had the authority to do that. This isn't the type of contract where they are appropriating any money. They are receiving money. Selectman Massey said the saving grace is it's got a 30-day cancellation by either party.

Motion by Selectman Maddox, seconded by Selectman Robinson, to increase the dispatch service fees charged to the Litchfield Fire Department from \$2,500 per-year cost, to a cost per-call fee structure, effective October 1, 2007, as recommended by the Fire chief in his letter of August 14, 2007 and to authorize the Town Administrator and Fire Chief to sign said agreement carried 5-0.

**E. VFW Request for a granite bench at Library Park in memory of Claude M. Charbonneau**

Motion by Selectman Robinson, seconded by Selectman Nadeau, to forward this request to the Road Agent for his recommendation.

Selectman Maddox said they'd have the same problem as with Lenny's bench; it doesn't get used. Maybe if it was someplace else, but if this is where they want to put it... Chairman Jasper said what they have to look at is how much room is there, and if the Road Agent thinks this is a good idea. If they had Benson's, this would be the perfect place for this type of thing. It also leads to the question of having a policy because they could have a park with 50 or 60 granite slabs. Selectman Maddox said "Stonehenge in the Town of Hud." His point was you can't sit in that park. Lenny Smith has a bench out there, which he attempted to go out and sit on. With all of the traffic, you couldn't reflect on why you were sitting there. If they want to put it there, that's fine, but he didn't think it was going to be used and appreciated as much as it could somewhere else.

Selectman Massey said he'd support it if there was a suitable place to put it there, but the town should come up with a policy for future requests because they could end up with something that no longer looks like a real park. Chairman Jasper said that was part of it, and he'd speak to Mr. Burns. It might be coming up with an appropriate number of benches, such as five, and they could establish that as a policy. A donation of five benches, great; after that, no more—or whatever the number is, but he will work with Mr. Burns on that. It's a lot of work to mow around and maintain these things, and he'd like to not see any more out there.

Selectman Maddox said he wouldn't spend a lot of time on it because whatever this Board votes on, in 10 years, when there is a request for the sixth, he didn't see it going away. Chairman Jasper said at least they'd have someone to blame.

Vote: Motion carried 5-0.

**F. Request for information regarding the Recreation Department**

Chairman Jasper announced that he neglected to put the e-mail request from Lynne Ober, dated July 23, asking for information regarding the Rec Department on the last agenda, and that is why it is before them tonight. Several members attempted to answer the questions individually, but the answers were not made by the Selectmen, as a body. Chairman Jasper said he'd read the questions and then they could discuss them. He read, "I have the following questions about the Yates' request for additional staff."

Question #1: Pelham Rec has a more robust rec and parks department than Hudson's. The Rec Director cares for a huge park system, as well as running the rec programs. Why can Darren McCarthy in Pelham accomplish so much more than what is done in Hudson?

Answer: Selectman Massey said it's nice to say you have a more robust program, but there is no material that would let him judge that. He thinks the Hudson rec program is quite extensive, and it serves a large percentage of the people in town. He's not quite certain where this comes from, relative to why they've got "a more robust rec and parks department." Chairman Jasper thinks he was saying that that hasn't been established. The Hudson Board of Selectmen is not familiar with the Pelham Rec Department's programs and it cannot answer that question. Selectman Robinson said he was familiar with the Pelham Rec Department and they have a different financial system to run their Rec Department, as they are on a revolving accounts down there, versus the Town of Hudson. Whether that makes them more or robust is a matter of the beholder. The rec cares for a huge park system, as well as running the programs. He's not familiar with that. The rec programs that are run out of Pelham are different than the one run out of the town of Hudson. Maybe Lynne could give Dave a call with some of the specifics. Chairman Jasper said he had some comments from Dave Yates, who says, "The two department do many similar activities. In addition, Pelham's does floor hockey, tot soccer (3 & 4-year olds), golf, indoor soccer and swim lessons. In addition, Hudson does over-35 basketball league, adult softball league, monthly movie nights, fifth and sixth grade dances, Cabin Fever Day, Adult Comedy nights and Father-Daughter dances." Chairman Jasper said they do different things, depending on the demands of the two communities. His answer is the Board of Selectmen cannot comment on what the Pelham program does. Selectman Robinson said it's just different stuff. Chairman Jasper said his intent was to send a copy of this discussion to Mrs. Ober, which formulates the Board's response.

Question #2: Have you looked at staffing at surrounding towns, such as Windham and Pelham?

Answer: Selectman Maddox said no, but maybe this is an impetus to have the Rec Department, and some of the other groups in town, take a look at what other towns are doing. Maybe some other good ideas would come out of what the other towns are doing, but this is something that should be given to the Rec Committee. Chairman Jasper agreed, but added you can't really compare Hudson to Windham and Pelham. Dave Yates said, "For a town of 12,500, Pelham as a full-time Rec Director and a full-time Secretary. For a town of 24,000, Hudson has a full-time Rec Director, a part-time Secretary and a part-time



maintenance man (15 hours per week).” Selectman Massey said Hudson also has councilors and directors for every one of the activities. Mr. Malizia corrected him, saying they have councilors for the summer and directors for the programs. Chairman Jasper added that they have no idea what Pelham has in those positions. The answer to the question is no, they haven’t looked. Selectman Robinson said he knows, but he has not looked. Chairman Jasper said staffing has to be based on the need. They shouldn’t have to go out and hire four people because Pelham or Windham has four people, or because Hudson, being three times the size of Windham, should get 12.

Question #3: In Pelham, the Rec Department is on a new system. Robinson is well-acquainted with this system. It is totally separate from the town budget and is self-supporting. When will Hudson’s Rec Department start becoming budget-neutral? In Pelham, users pay for the programming, not taxpayers.

Answer: Chairman Jasper said he wasn’t familiar with what others do, but Dave Yates did look at this, and he says, “Although Pelham has a revolving fund and the programs pay for themselves, they have an additional \$200,000 in their budget for payroll, administrative and field maintenance. Hudson’s Rec, excluding administration (5810) and subtracting off-setting revenue, the Hudson Rec Department costs the town, double the size of Pelham, \$188,966.” Chairman Jasper didn’t think it has ever been the policy of the Board, unless there is a motion to change that in the budget process, it is not the intent to have the Rec Department be budget-neutral. Selectman Nadeau said the Rec Committee is looking at the fees for the upcoming year. Chairman Jasper said they do that on a regular basis. They’ve made sure the adult programs are revenue-neutral, that the costs associated with adult programs are revenue-neutral. They’ve been very aggressive in increasing the fees for the summer program, but that’s a case where you can kill the golden goose. A lot of people who pay the fees don’t come there. It’s not a golden goose, but it’s a program that benefits a lot of people in town. Some people come here two, three times a week. If those fees are increased too much, a lot of people will drop off, and it may cost the taxpayers even more than it does now. That’s something they have to be very cognizant of. Selectman Robinson said what she was talking about was the revolving account, the system that both Pelham and Windham are using. With the exception of administration fees—salaries—the cost of the programs are paid for by those who use the programs. For example, if they wanted to run hockey, soccer and baseball. Those who wanted to play baseball would pay 20 bucks. For 200 kids, that’s \$4,000. From that \$4,000, they pay the referees, fees for the grass, or if you need new stands, the money would come out of that for the cost of that program. If you are going to do soccer and you have 500 kids, if you charge them 10 bucks to play soccer, that would be \$5,000. That money would go into an account for soccer. Each individual activity within the town would be funded by those who are using those accounts. The debated on this is that it’s difficult to monitor or audit. The plus side of it is that it allows those who use the accounts, who use the different venues, to pay for what needs to be done and it doesn’t come out of the taxpayers. It’s called a revolving account because every year, the money stays in the account. For example, they did the Daddy-Daughter dance. At the end of the dance, there was about \$250 left over. Next year, instead of that money going into the General Fund, like it does now, that money would stay in the account and that would be the seed money used for the Daddy-Daughter dance next year. If it’s decided by the Selectmen or Rec Committee to use the money for another program or account, they could move it. That’s the thought behind the revolving account. It’s a little bit of a pain in the next to set up in the beginning, but once it gets rolling, it allows a lot of flexibility within the Rec Departments of those two towns because they are not budget-dependent. They don’t have to budget a certain amount every year for baseball, soccer and all the other sports because they already know what their funds are going to be. That’s what she’s talking about in #3 when she said Robinson was acquainted with the system. Chairman Jasper said, in order to accomplish that, you have to increase your fees to cover all your programs. Selectman Robinson said that was not true. Chairman Jasper said that’s the only way you can do that. If you have a revolving account, and the program costs are coming from there and not from the taxpayer, then your fees have to be sufficient to cover your costs. Hudson doesn’t do that with its programs for the young adults. They supplement, so you can’t do a revolving account unless you supplement. The problem with doing that in any regard is you lose fiscal control. They could do that now within the budget, if they want to be budget-neutral by simply by saying these are the fees; here’s what we’re going to get; here’s what we’re going to spend. But, to this point, the town has made the conscious decision that they will offset the children’s programming. That’s something the Budget committee has bought into, the taxpayers have bought into it at Town Meeting, and the Board of Selectmen certainly has. They try to keep the numbers fairly close, but recognize providing a service to children is a benefit to keeping them off the streets and allowing them to do things that are affordable. Windham is a more affluent town than Hudson. They have a much higher per capita income. Pelham, probably not. Selectman Maddox said to that end, when they did last year’s budget, most of the programs’ costs were less than the revenue brought in, so the sticking point is salaries and it sounds like the other towns are doing the same thing. They are funding the salaries. Selectman Robinson interjected that they are. Selectman Maddox said they were doing it in kind of the same way. There’s only two programs he can remember that... Mr. Malizia said Babe Ruth was one of them because that serves a smaller population of teenagers, where you don’t get the participation that you do in soccer or basketball. Tennis wasn’t a moneymaker, but it was neutral. For all intents and purposes, the Board of Selectmen and Budget Committee have control. They’re the ones driving the train and there is a positive and a negative. Windham doesn’t have a Budget Committee; he didn’t know what they are doing, and he didn’t really care. Hudson has a program that works for the town of Hudson. Can there be improvements or new offerings? Yes, and Mr. Yates has brought those offerings in and tried to provide the revenue to make sure that it works. Some of this is not objective; it’s subjective. It’s opinion. The town of Hudson, throughout the years, has always voted in a certain way. It receives deep scrutiny, having sat through many Budget Committee meetings where programs have been questioned, requested and requested. Everything has been vetted very thoroughly. It’s not perfect and he’s not saying it can’t be done another way, but there is a control point that the elected officials have, as opposed to appointed officials or Rec Directors have in other communities where there is a revolving account. This is giving the elected officials more control. Selectman Maddox said it breezed through this budget because they were revenue-neutral, and most of them made money. He wouldn’t have a problem in looking at a small revolving account for specialized programs. If somebody came in and wanted to do face painting, or something else that was very limited, maybe \$5,000 or whatever it may

be so they wouldn't have to wait 18 months to go through the budget process. He'd look at that in a favorable light, but not the entire Rec budget being on a revolving account. Chairman Jasper said they tried a revolving account, which he was opposed to, when they bought Lions Hall. They put the funds from all the various rentals from Lions Hall into a revolving account, and that thing was a disaster, mainly because there wasn't enough revenue to really make it work, but then trying to figure out during the budget cycle how much they needed to allocated because it wasn't making enough money. There was never any benefit to the taxpayer because it was still revenue in and expense out, and it was just a way of keeping it off the books, and that's not a good way to do it. You say it's going to cost \$500 to do a Daddy-Daughter dance and they budget \$500 there, and budget \$500 on revenue and if they have \$200 left, they just lower the cost. That's something they can talk about, but the answer here is Hudson's Rec Department will not become neutral until the town of Hudson, through the Board of Selectmen, Budget Committee and taxpayers decided that they do not want to supplement the recreation programs for the children. At this point, it is the policy of the town to supplement those programs.

Question #3.a: How much are Hudson taxpayers paying for the Rec program?

Question #3.b: How much did Hudson taxpayers subsidize the summer program?

Answer: Chairman Jasper said for questions 3, a & b, he asked KC to take a look at that. The first one is very easy to pull out, and it's done now, they can look at what they spent in the summer rec program and how much they took in. Once KC pulls those numbers out for the Board, they can send it to Mrs. Ober. Selectman Massey said they have to be clear that they raise and appropriate, he thinks, \$172,000, but they offset that with revenues of about \$150,000 so the cost to the taxpayers of the entire program is \$30,000. Chairman Jasper said he meant to say on (a), how much are the taxpayers paying? what is the total budget? Mr. Malizia said they need to know what the net is. Chairman Jasper said the summer program would be separate.

Question #3.c: When will you look at costs of comparable summer programs (one is offered in Pelham) and the costs of the one offered in Hudson?

Answer: Chairman Jasper said they look at the costs at the one in Hudson every year. Frankly, he really doesn't care what they do in Pelham, if what Hudson is doing works for the citizens of Hudson. Selectman Massey said there is no comparable program. They'd have to have the same set of programs Hudson has in order to compare apples to apples. Once you start comparing apples to oranges, you no longer have a good cost comparison. Chairman Jasper asked if that answer was OK. Everyone was fine with that answer.

Question #4: When will Hudson's Rec begin to add more programming, to make it more comparable with other, smaller towns, such as Windham and Pelham?

Answer: Chairman Jasper said they've already gone through a list of what they do, and they do have quite a bit. When they add programs is when there is an interest in the community and there are people who come forward, asking for a specific program and they seem to be pretty good at responding to the needs and not going out and saying just because some other town is doing something, Hudson should do it. Selectman Nadeau sat at the Rec Committee's monthly meetings, they have Public Input, and if somebody wants to have a knitting class on Tuesday mornings, they are welcome to come in to address the committee with the request and particulars. The Rec Committee is more than happy to look at different programs. At one point, someone wanted to do kayak lessons over in Windham or Pelham and they did it. Nobody has come forward to do that in Hudson. If someone does want to do it, they can bring that up at a Rec Committee meeting and see if that's something they want to go forward with. Selectman Robinson said he's spoken to Dave Yates about that, and he is more than willing to entertain any idea that is presented to him by someone interested in doing that. The number one rec program in the town of Windham is archery, with a waiting line that goes out the door, believe it or not. Selectman Maddox quipped that that would be good for the knights. Chairman Jasper said the real thing here is they develop the programs that fit the needs and wants of the communities, and that's how all of these programs have evolved, right from the beginning, going back to the 1940's. Hudson will expand the program when there is the need and the willingness. Selectman Robinson said it's a demand-driven program by those who take it. Chairman Jasper apologized for having to go through this, but... it is what it is.

**G. Assessing Settlement Cases: BAE Systems (Map 251, Lot 1) and 32 Executive Drive Realty (Map 215, Lot 2)**

Assistant Assessor Jim Michaud said the first settlement memo deals with BAE Systems, probably the flagship R & D complex in town. They filed an abatement application for 2006 and, as the Board knows, they are going through a revaluation for 2007. His initial response to their abatement application was it's simply not worth the little money they initially proposed. He sat down with Steve Traub, the commercial/industrial contractor for the reval this year, and they went over the abatements that have been filed for industrial property. What he ended up arriving at as an approach is by look at what this year's values are for commercial/industrial property and applying the ration that they had coming into this year, 84.3%, and taking this year's number, backing it into last year's. By and large, it's a pretty flat market for commercial/industrial, especially the industrial market, from 2006-2007. He took this year's pending assessment for BAE and applied that number, going backwards, using the assessment ratio. The settlement figure itself is approximately \$20,000 and the agreement bars the taxpayer from pursuing a 2006 appeal and also bars them from appealing any part of their 2007 assessment, as long as it doesn't exceed the number he has shown. In the 90's, they had a case with BAE that went on for five years. The attorneys kept it going for a long time. When it finally got to BTLA, they came up with this magical asbestos adjustment for the exterior siding for BAE that's got asbestos in it. That was their 10% adjustment factor. A 10% adjustment on that large a property, with five years of rolling principal and five years of interest, was about \$500,000 they ended up paying out on a settlement, so he tried to nip BAE in the bud. The numbers were close and they ended up with the number in front of them. The 32 Executive Drive case is much more of a plain-Jane industrial building in Sagamore Industrial Park. The numbers on

this—he has a lot more sales and income he can use. There's a lot more out there of this size, as compared to BAE. He applied the same approach. He went over this with Mr. Traub; he went over this year's proposed reevaluation. Both of these properties are represented by two different tax reps, but they are dealing with tax reps who are, in turn, dealing with the property owner. If the town's assessments were at 100% last year, they probably wouldn't be doing these settlements, but the residential sales drove that ratio down to 84%-85% over the last two years, and they arrived at a number they felt was supportable for this year, and used the ratio going backwards because the industrial market has been flat in 06 & 07.

Selectman Maddox said if the market was doing real well, would they be coming in, saying they wanted to pay more taxes? Mr. Michaud said no. Selectman Maddox asked if the general homeowner be able to come in and do this? The problem he has with this is because they do their revaluations every five years, they are taking the average, much like the homeowners', whose market could be up two years ago, down this year, could go anywhere in three more years, the tax assessment on their home is the average; it would be the number that is going to be carried for those five years. If they did 12-15 years between assessments, maybe. He just thinks this is not good for the homeowner. They are saying come in and apply if the numbers go down. He just thinks this is wrong.

Motion by Selectman Massey, seconded by Selectman Robinson, to approve the settlement proposals between the Town of Hudson and BAE Systems and 32 Executive Drive Realty, as recommended by the Assistant Assessor in his memos dated August 28, 2007, carried 3-2. Selectmen Maddox and Nadeau voted in opposition.

## 10. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Nadeau hoped everyone has a safe and happy Labor Day weekend.

Selectman Massey said he had none at this time.

Selectman Maddox said at the last Planning Board meeting, they got the draft copy of the CIP program, which he will leave in the Selectmen's Office for review. There was some criticism at the Planning Board meeting in regards to how the program is run. They felt that the Selectmen controlled too much of it. Others felt that it was a waste of time and there was a motion to put it out 30 years, but that didn't go anywhere. It's an interesting document and something that when the final draft is done, should be put on the website.

∴ There is a tremendous amount of money, trying to be spent in FY09 at Benson's. At some point, they need to make a decision on where they are going to go with that. He has no interest in spending hundreds of thousands of dollars at Benson's. He didn't disagree that they should purchase it and make it into a park. If the state would like the town to maintain buildings, or if they would like those buildings maintained, they are more than welcome to do it with their money. The state has spend no money on that facility since they've bought it. They've let it deteriorate. At some point, they are going to have to make a decision where they want to go with Benson's that will probably on a future agenda, but they need to do something in the near future.

∴ He read in the paper his quote during the rededication of the Robinson Road station, about how long it takes to get something built, and that's all that made the paper. At that time, he also thanked all of the men and women who have manned that station, as call force volunteers. The town owes them a great gratitude for all the service, taking away from their family life, their holidays, their suppers, and all of that. That didn't make the paper, and a lot more people watch this than were there at the opening. He wanted to get that sentiment across, that the Board of Selectmen support him in saying they thank all of those people that had manned that station, and continue to man that station, as volunteers, side-by-side, with the paid staff that is manning that station. Thank you very much.

Selectman Robinson said he's thought about this item since he got the e-mail and decided to run with it to see where it goes. He got an e-mail from a Planning Board member, who made a motion that Public Input would be added to the agenda for Planning Board meetings. Most of the committees in town do have Public Input as part of their meetings, including the Board of Selectmen. The motion was defeated by the Planning Board members by a vote of 5-1, with 1 abstention. Last week, Selectman Maddox stated that "great minds think alike," and agreed with Selectman Maddox that the issue of Public Input should be an item for the Planning Board's next workshop. The motion would have allowed the Planning Board to review the procedures that govern the Public Input portion of the Board of Selectmen's meeting agenda to determine what, if any, applicability might be with the Planning Board agenda. He didn't have all of the facts, but it just seems that maybe a little bit of time, a little bit of prudence and a little more thought could have been put into it to see if it was a good or bad idea, or get some more input, including legal, to see whether or not public input would be allowed at a Planning Board meeting. He thought back at the deliberative session when someone wasn't allowed to speak. He'd hate to see that happen to someone else who did want to speak at another public event.

Selectman Maddox said it was a motion that came out of nowhere. He quoted Selectman Massey's favorite quote, "Act in haste, repent in leisure." The Planning Board kind of took it as opening up Pandora's box. He's not going to disagree with that, but they should have, at least, looked at what could be done. He talked to the Town Attorney the next day and he had some concerns. Maybe they will bring back up at a later date to at least take a look at it. They were trying to do the right thing, inasmuch as you wouldn't want someone to come in and say, "I have a problem with XYZ site that's on the next agenda," but there's nobody there from that XYZ at that particular meeting, so they get into a situation where they didn't hear what was said. He can understand the Planning Board's concerns, but just thought a little more time and more thought would have taken it to a different location. Maybe he and Selectman Massey need to bring it up at a future meeting to see if they can get it to the same place as the minor site plan review.

Chairman Jasper said he would come at it from a totally different approach and agreed with the majority. The Planning Board has a very distinct responsibility, with a very distinct agenda. The Board of Selectmen and the Budget Committee, the two boards he's

familiar with that have Public Input, and perhaps the Library Trustees and some others, but they have the flexibility and the ability to take some action. Public Input for the Planning Board is a situation where someone may come in, thinking they are going to get some resolution, come in and talk about the site that was built a year or two years ago, and go on about problems there, and that is not the appropriate format. They should be going upstairs. If you give public input, you are giving the idea to the public that what they are going to say will result in some action. They might be opening themselves up to having people come in to tell them what a lousy bunch they are, or what a lousy job they've done, and that isn't the best thing for that Board, either. There is nothing specific that the Planning Board could really do with any of that public input, except in the times when they already have it, which is site plan review, or when they are amending all of the rules and regulations, taking on the possibility of zoning changes, and they hold public hearings and have that input that is focused on the specific things that they can do. That is the right way to do it. Opening up and allowing people to come in and vent, they'd be better off calling it Public Venting because that's all it would be because that's what it would be, people coming in and just going on about things that weren't before them, or that the Board had no control over. It's structured very well the way it is now because it focuses on the present and the things they can do. That's his opinion.

Selectman Massey said he didn't take part in the discussion that night. He understood the discussion relative to why Public Input on the nature that Chairman Jasper just described, a site plan that was last week, or that is coming up, why that would be inappropriate for public input, but he thought there were other areas that public input could be legitimate. For example, somebody could come in, after sitting through a couple of those meetings, and say, "Mr. Chairman, I don't understand how your meetings work. I've been watching, and blah, blah, blah. I'd really like to have someone help me understand that." He thought that Selectman Maddox's fallback, which was to have a look at the entire set of policies and bylaws, including the possibility, was an appropriate one, and it would be reasonable for them to try and revisit again. Especially if Selectman Maddox already has some input from the Town Attorney. It would be helpful. There is nothing that prevents a chairman, when somebody starts to talk, to tell the individual they are out of order, and they either step down or the chairman takes corrective action. There is the power of the gavel to have inappropriate input before the Board not taken.

Selectman Robinson said what was interesting with regard to Selectman Maddox's suggestion is that it was a 3-3 tie, and then the Chairman chose to break the tie by voting no, for whatever reason, and he respected that vote. Then the suggestion was made by the opponents of the motion that if members of the public want to say something to the Planning Board, they can always write a letter. Sometimes that doesn't work. He's not sure what to do here, but if they could revisit it somehow and get some additional counsel or thought on this.

Selectman Maddox said, as the Selectmen's representative, he'd like some feedback from the Board of Selectmen before he goes off and jumps off another cliff. If a citizen came in and wanted to say he really thinks the town needs to look at doing this, whatever "this" is—an overlay district for horse farms—how do they get that on to the ballot? There should be something that gives them that ability, so there are a few situations where public input would be useful to the Planning Board and having structure to that, i.e., not talk about existing cases, etc. He's looking for input from the Selectmen where he should go with this. Chairman Jasper said if Selectman Maddox feels strongly about that, the only time that it's probably appropriate for public input is at Planning Board workshops. Selectman Maddox said he was absolutely considering that. Chairman Jasper said they also need to have strict guidelines about what people can talk about. Otherwise, they'd be taking up an awful lot of time just hearing people complain. He's never had anybody ever tell him, "Gee, I wish I could get in and talk to the Planning Board." That's a new one on him.

Selectman Massey asked if Selectman Maddox got his question answered. Selectman Maddox said sure. Selectman Robinson asked if they should make a motion about that, or a consensus. Chairman Jasper said no. Selectman Maddox said he sees where the Chairman is going and he thinks he and Selectman Massey are on the same page; and Selectman Nadeau is furiously writing down a list of the first people to come to Public Input. Selectman Robinson said there are times when it would be prudent and, obviously, less is more. Selectman Nadeau said the rules they do during their workshops, like Selectman Jasper said, that you can't talk about pending cases, but the overlay districts, or if they wanted to do things like that, that's fine.

∴ This coming Saturday, September 1 at 9:00 a.m., off of Twin Meadows Drive, there will be a dedication of the Poor Farm Cemetery, which is located up behind a couple of houses up there. The Poor Farm Cemetery dates back to 1828 in the town. It was in use in Hudson until 1870. Approximately 62 residents from the town were buried there. The cemetery is being dedicated by the Cemetery Trustees this Saturday and all Hudson residents are cordially invited to this important dedication. Selectman Massey thinks it would be appropriate to thank the abutters to the Poor Farm Cemetery for allowing the town to create and perpetuate that cemetery, so thank you to the abutters, because it's a landlocked parcel. Chairman Jasper agreed; they do appreciate that. It has taken a long time to get this accomplished, having been working on this for a long time. Selectman Robinson said since 1972.

**Selectman Jasper** said Fire Captain Dave Morin has sent in a request regarding the Firefighters' Memorial, which he believed has already been dedicated to FF Leon Hammond, but believes there is a new stone with his picture engraved on it that needs to be dedicated. At any rate, FF Hammond's family will be in the area during the weekend of September 9, and with the family members in the area, the Fire Department would like to hold the dedication ceremony on Sunday, September 9, 2007 at 1:00 p.m. at the memorial site. There was a request for a Selectman to speak at the occasion, along with assisting the family with the unveiling. Having known Leon Hammond for many years, he volunteered to fulfill that roll, as requested. Selectman Massey said Chairman Jasper would be the appropriate person because he is the liaison to the Fire Department.

∴ He should have brought this up under Liaison Reports, but was probably trying to block them out of his mind—Benson's, Stop & Shop and 7-Eleven. They continue to wait back from the state with Benson's. He wanted to try to get ahold of Nancy Mayville, but he's lost his phone directory. He was looking for it the past couple of days. He will call into the office, if he can't find the numbers to DOT. The same thing with Stop & Shop. They were supposed to send a letter back, and they haven't. He spoke to her about a month and a half ago. 7-Eleven is a bit more complicated. He finally got ahold of the person who told him to call him back in the middle of

July and he's been doing that. He finally got him while he was in the office. The higher-ups are concerned about traffic congestion within the parking lot and would like to do another curb cut to create a different access. He didn't think that was a good idea. He talked to Tom Sommers about that, who says it is possible but would be very close. He's not sure who owns the road out there at that point, if it's the state of NH or the town. The section they redid on Central Street, from Burnham down to Lowell Road was state road, but in 1984-85, they redid all of that and turned it over, but he didn't know if they turned over anything beyond that or not, so that's got to be looked into, but that's not looking real promising if they are going to hold to that because that's not a good situation, having another curb cut right there on 111. That may not be as promising, but they'll continue to work on that and see what they find out.

11. **NONPUBLIC SESSION**

*Motion by Selectman Robinson, seconded by Selectman Maddox, 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 affected has a right to a meeting and requests that the meeting be open, in which it shall be granted; (b) Hiring of any 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.*

Nonpublic Session was entered into at 11:00 p.m., concluding the televised portion of the meeting. Any votes taken by the Board upon entering open session will be listed on the Board's next agenda. The public was asked to leave the room.

*∴ Motion by Selectman Massey, seconded by Selectman Robinson, to hire Jennifer Riel as full-time Water Utility Clerk, starting at \$13.92 per hour, Step 1, of the Admin & Support contract, effective 8/29/07, carried 4-1.* Selectman Maddox voted in opposition.

12. **ADJOURNMENT**

*Motion by Selectman Maddox, seconded by Selectman Robinson, to adjourn at 11:43 p.m., carried 4-1.* Selectman Massey voted in opposition.

Recorded by HGTV 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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Douglas K. Robinson, Selectman