

HUDSON, NH BOARD OF SELECTMEN
Minutes of the August 14, 2007 Meeting

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

2. **PLEDGE OF ALLEGIANCE** led by Selectman Maddox.

3. **ATTENDANCE**

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

Staff/Others: Steve Malizia, Town Administrator

4. **PUBLIC INPUT**

Recognition of the individuals who assisted local residents escape from a structure fire several weeks ago.

Chairman Jasper stated that, on a personal note, while their actions are not something the fire service would encourage individuals do, it very important that people in the community take action to help those who are in need, whatever the circumstances, keeping their own safety in mind. This was a situation that turned out very well for all of those involved, and the Board is certainly grateful.

5. **NOMINATIONS & APPOINTMENTS**

Appointment of Liaison to the Planning Board's Minor Site Plan Committee.

Chairman Jasper said, without objection, Selectman Massey would be appointed to that position. Selectman Maddox so moved, seconded by Selectman Robinson, which carried 4-0. Selectman Massey abstained.

6. **CONSENT ITEMS**

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

A. **Assessing Items**

B. **Water/Sewer Items**

C. **Licenses & Permits**

- 1) Raffle Permit by Grange for a Charity Event on August 24, 2007
- 2) Outdoor Gathering Permit for Old Home Days on August 17, 18 & 19 at the Hills House
- 3) Petition & License for one Push Brace (246/37PB), License Petition 21-951, Old Derry Road

D. **Acceptance of Minutes**

- 1) Minutes of the Board of Selectmen's Meeting of July 17, 2007
- 2) Minutes of the Board of Selectmen's Meeting of July 24, 2007

E. **Calendar**

- 8/15 5:00 Water Utility Committee in BOS Mtg. Rm.
- 8/15 7:00 Library Trustees in BOS Mtg. Rm.
- 8/15 7:00 Seniors in CD Mtg. Rm.
- 8/16 3:00 Swearing in of Police Officers at HPD
- 8/16 7:30 Budget Committee in BOS Mtg. Rm.
- 8/20 6:30 School Board in BOS Mtg. Rm.
- 8/20 7:00 Energy Committee
- 8/21 7:00 Cable Committee in BOS Mtg. Rm.
- 8/22 7:00 Planning Board in CD Mtg. Rm.
- 8/23 7:00 Open Space Committee in BOS Mtg. Rm.
- 8/23 7:30 ZBA in CD Mtg. Rm.
- 8/28 7:00 Board of Selectmen in BOS Mtg. Rm.
- 8/29 7:00 CTAP in BOS Mtg. Rm.

7. **OLD BUSINESS**

Votes taken after Nonpublic Session on July 24, 2007

Motion by Selectman Massey, seconded by Selectman Robinson, to hire Eric Ferreira and Steven McElhinney as police officers, effective 7/29/07 at \$19.78 per hour, in accordance with Police Union Local 3657, as recommended by the Chief of Police, carried 5-0.

Motion to adjourn at 8:52 p.m. by Selectman Maddox, seconded by Selectman Massey, carried 5-0.

8. **NEW BUSINESS**

A. **Liaison Reports**

Selectman Nadeau said everything is good very good at the Rec Department. This is their last week for the summer program. The auditors should wrap up their field work this week, and then the report should be in by early October.

Selectman Massey said his input would be covered by the next two items.

Selectman Maddox said the Planning Board, after having a month off, came back and they heard another presentation from Green Meadow. To all the people who heard rumors that Green Meadows was going to stay a golf course, it is still going through the process with the Planning Board to develop that site.

Selectman Robinson had a PowerPoint presentation. They received a lot of information, a lot of print media and a lot of numbers about the recycling program. This has been savings, that has been savings, it's costing this, it's costing that, so he thought it would be a good idea to put it in a format where everybody could actually see the numbers. When he first wrote this up, he wrote it up as a savings. One of his friends who was proofreading this said that maybe that's not the right word to use because if we're saving all of this money in recycling, and turning that money around and spending it on roads, is it really a savings? His answer to his friend was yes and no. If they turn around and take the money they are not spending in recycling, on the solid waste contract, and they spend it on roads, that would be a transfer of funds, not really a savings. But if they took that money and they purchased asphalt at a certain price, because they know the price will be going up, to do planned work, then that would be a savings. He purposely took out the word "savings" and they will see the word, "budget." That's what's important. The town of Hudson has prepared a budget for the Highway Department for solid waste. It was approved by the Board of Selectmen and the Budget Committee, and it went to Kevin Burns, and it is his challenge to manage his budget, as it is with every other department head in town. It's a guide of how effective they, as a town, can do at managing that budget line. With that, he'd like to continue with his presentation:

Let's get some history, as we go along here, with the Recycling Committee. These are all plus and minus numbers. They are pretty close. Londonderry's recycling program, or solid waste program, is \$2 million. They have a population of 24,000 people and they have no curbside pickup. Merrimack, like us, has \$2.7 million, population of 26,000 people, and you must take the trash to them. Windham has \$1.5 million, a population of 12,000 and like Merrimack, you must take the trash to them. I read in the paper today that Windham's transfer station is short of help, so their transfer station is open limited hours. The Town of Hudson has appropriated \$1.7 million, as a budget line, to pick up the trash in the town of Hudson for 25,000 people that includes curbside pickup and it's a pay-as-you-throw bulk system. During the month of July, the town of Hudson threw out 717 tons of trash. That includes both recyclable trash and it includes the regular solid waste trash. So I have a problem with 717,000 tons of trash. What does 717 tons of trash look like? Well, I Googled it, and I came up with it weighs as much as a German WWII submarine, called the U505, which was captured by the Americans. It measures 252 long and 37 feet wide. The sub is almost as big, almost as wide as the Alvirne football field. So, if you're sitting in the bleachers, and you're 37 feet up, you are as high as the pile of trash would be. This is what a U505 looks like. That's how much trash, in weight, the town of Hudson threw away in the month of July. It's also the weight of Jesus Christ in Rio de Janeiro. It's the statue that stands 38 meters and weighs 700 tons. A very, very popular photo. Historically, Hudson has been recycling 11%. However, during the month of July, the town of Hudson recycled 205 tons of trash. That equals 28.5%, if everything they threw out was recyclable. What does that really mean? 28.5%. Over ¼ of our trash was collected free of charge. Because of the verbiage of the contract that Road Agent Burns constructed, in cooperation with the contractors, the town of Hudson paid zero; not a dime to pick up the recyclables that were on the curbside. So, once again, what does 205 tons of recyclable trash look like? So what do you do what you want to fine out? You Google it. It looks like a locomotive engine. That engine weighs over 200 tons. That kind of gives you a visualization of how much recycled trash the town of Hudson threw away in the month of July. Well, if you project out for 12 months, here's the budget savings reduction here, the budget reduction. For the removal of trash to the residents of the town of Hudson would be \$193,000. That is off the \$1.7 million budgeted because we found a way to get rid of some trash free. Now, just like we see on all of the infomercials on TV, not good enough? You want more? OK. Here comes more. As a result of the recycling, the town of Hudson is disposing of 60 plus tons of trash per week. 60 plus tons of trash are missing from the estimated tonnage from last year. In other words, when the trucks are going around town, Kevin had to estimate the weekly pickup, and he averaged in an extra 60 tons. Well, as best we can figure, is that trash is not coming into Hudson from other towns. Folks aren't using the Cadillac of services, as it used to be called, to dispose of their trash from other towns. So the question is, where did it go? Who cares? It's not in Hudson. That's what matters. 60 tons of trash less per week equals... Mr. Maddox, how much? \$227,000 of additional reduction to the solid waste budget. So, if we add the two together, we come to an estimated savings of, against budget, of \$420,928. And, yes, when Mr. Burns comes to the Budget Committee next year, he will already have factored in these numbers, so that these budget savings can be turned into dollar savings on this budget line. Thank you, town of Hudson. This is just the beginning. We're at 28.5%. Our goal is 40%. And at 40%, you can see how these numbers really increase. Thank you.

Selectman Maddox said while they were still on trash, Mr. Burns was in the back row. He didn't was to get too wrapped up in the euphoria, inasmuch as it is July, and much like they saw at Old Home Days, people aren't in town. Do you expect that those numbers will continue, or as people are away on vacation, out of town, will those numbers vary slightly before... everybody is going to remember that \$420,000, guaranteed. Selectman Robinson said his understanding, from his meetings with Corcoran and Kevin, the real test was the first week of the month. That was the July 4th, and the tonnage at that point in time was 45 tons, which is about five tons less than last year, during the same period. The following week, it did come back, so that it equaled last year, minus the 60 tons. That's a week. 60 tons of trash a week. He didn't have a clue where it went. But they've been into it now for six weeks. Mr. Burns said it has stayed very consistent. He's been monitoring this for years. Historically, during the summertime, trash levels are higher than the winter. There is more spring cleaning, etc. In the winter, it's cold and they don't want to deal with it. Selectman Robinson said as they go into the holiday months, there is a lot of concern with the residents of Hudson on how to take care of their trash, where they are going to throw it out, etc. In his home, he is finding out that his paper and cardboard barrel is getting more each week and his actual trash content is really going down. So, as they go into Christmas and the holidays and the various seasons, the paper and the wrap, yes, that will go up. The other stuff will still stay low. Personally, he feels confident they are in a great journey, here.

Selectman Massey asked for a clarification. Is it 60 tons a week or 60 tons a month? Selectman Robinson said a week. Selectman Massey said if that was all coming from out of town, he is having a hard time understanding how 60 tons a week was from out of town. Is it a possibility that there were other reasons why that is so low? It's hard for him to visualize 60 tons of trash that people are carting into town. Selectman Robinson said it's 120,000 lbs. The landfill is also equal to numbers. There's nothing dramatic there. There are a couple of neighborhoods, without mentioning names, that he and the Town Administrator just shook their heads before going to recycling. How are they going to do it? Time will tell, and the houses that they were talking about did it. He didn't know where the trash went. If someone knows where the trash went, please e-mail him because he and Mr. Burns are stumped because it's not in Hudson.

Selectman Jasper commented on the fantastic job the Fire Department did last Monday at a structure fire at Flying Rock Road. He was listening and decided to take a ride over there because he needed to go to Town Hall. He got to the top of Greeley Street, and there was a very large column of very black smoke coming from that area. By the time he got from the top of Greeley Street to the lights, it was white smoke, which meant they knocked the fire down. In fact, they did very quickly. He was very impressed with the job the firefighters and the command staff did in setting up and dealing with the issues. Congratulations to the department.

B. Pelham Road Culvert/Dam Engineering Amendment II

Town Administrator Steve Malizia said the Town Engineer submitted a letter, recommending the town contract with CLD for an amendment to an existing agreement, which would allow CLD to work on the Pelham Road culvert/dam. It has some weaknesses to it, identified as a possible critical area that needs to be engineered and possibly rebuilt. This is the engineering phase that gets them to an analysis of what the potential breach is. The dam has a classification category. An emergency action plan is necessary because if this dam goes, there could be some serious consequences downstream. In the last two years, there has been flooding at this location. This would also allow for a budgetary figure to be put on a warrant for the design/construction of a rebuilt culvert/dam. This was not a budgeted activity; there is no budget line anywhere for this. Given that it's early in the year, it's difficult to take it out of other accounts, at this point. That's why the recommendation is to put this against contingency, which is the Selectmen's emergency fund. There have been other accounts in the past that have under-run, such as solid waste management, water quality monitoring. They are a little bit early into the year, so the Engineer wasn't comfortable transferring money out, based on the activities he believes will happen to the West Road and Burns Hill landfills. Mr. Malizia said he looked through the budget and didn't want to rob Peter to pay Paul, so he's the one who recommended taking the money from the Selectmen's contingency fund. If something should open up a little later in the year, they could possibly replenish this account.

Motion by Selectman Massey, seconded by Selectman Robinson, to approve Amendment II to the Pelham Road Culvert Dam engineering contract with CLD and to authorize the expenditure of \$34,350 from the Contingency account, 5940-298.

Selectman Massey said he's spoken with the Town Engineer on this and recalled that when they had the 100-year storm last May, this culvert might have been lost, had it not been for the work done by the Highway Department. A neighboring house lost their entire driveway, as a result of that storm. A sufficient amount of water is behind this culvert/dam that, if it ever breaches, it would have a significant impact downstream. Taking this much money out of contingency isn't taken lightly, but he's hopeful that, based on the past history of the town's budget versus actuals at the end of the year that this will not prove to be where the money will actually come from. It's prudent and critical to move forward with this project.

Vote: Motion carried unanimously.

C. Upper Merrimack River Watershed Study

Town Administrator Steve Malizia said the Town Engineer received a proposal from the Southern NH Planning Commission, soliciting the town's participation in a subject study of the Merrimack Valley River watershed, i.e., wastewater and water. Hudson is part of the treatment plant, so there is some impact. The Engineer has recommended that the town participate, being part of the region and a critical part of the component. This would be a three-year commitment at \$3,500 per year. As this year is not budgeted, they would take it from the Sewer Utility account, Other Professional Services, which has \$10,000 in it for things, such as this. In the two future years, that could be a budgeted item.

Motion by Selectman Massey, seconded by Selectman Nadeau, to approve the town's participation in the Southern NH Planning Commission's three year Upper Merrimack River Watershed Study with this year's cost of \$3,500 to come from Sewer Utility account 5561-252, Sewer Administration, Other Professional Services.

Selectman Massey said the first question he'd like cleared up is, operating under the premise that the Board of Selectmen can only commit the town to one year, so he's a little concerned they are committing future boards to an action that, in his understanding, multi-year contracts require Town Meeting approval. Chairman Jasper said that was an excellent point. Anything they sign would need to be clarified that it would be subject to appropriations. Selectman Massey said secondly, he attended a meeting of the Watershed group about six months ago in Manchester. The majority of the work that has been done on the Merrimack Valley Watershed, which goes all the way up to the Plymouth area, and all the way out to the Atlantic Ocean, they've pretty much reached a point where the southern half of the watershed has been reasonably cleaned up and they believe they now need to spend more money on the upstream area. The reason for taking the money out of the sewer account is that the focus is going to be on waste management and, in particular, it may have some impacts with Nashua. Since Hudson is a partial owner of the Nashua Wastewater Treatment, it seems prudent to be involved with this. They are

requesting this money from all of the towns in the watershed area, so Hudson won't be the only ones who are requested to help fund this effort.

Selectman Maddox didn't see spending \$10,000 taxpayer dollars on a study that will do no good for the town of Hudson. Tom stated the effects the study may have on the Nashua Wastewater Treatment Plant, but they have absolutely no control over what they do, as they found out when Nashua decided to spend money without even telling Hudson. Spending \$10,000 to study the upper Merrimack for what? They put their hand out, but does Hudson need to put its money in it? This study is going to happen through other government agencies. Hudson does not need to fund this to get information that they would get anyway, if Nashua participates, since they are the ones that own the sewage treatment plant. No matter what the study says, they are going to do what they are going to do, and Hudson is going to have to pay for it, so he sees no sense in spending the \$10,000.

Vote: Motion failed 2-3. Selectmen Jasper and Massey voted in favor of the motion.

D. Annual Town Auction

Steve Malizia, Town Administrator, said he made one minor change to the list. There is a 1996 Chevrolet Caprice that was not on the list. Every year they have a town auction to dispose of town property—bicycles, etc. This year, there are some pickup trucks from the Highway Department, various items from the Fire Department, some old IT items, and the bicycles from the Police Department. If someone is looking for a bike and they can't find it here, they can't find it anywhere. They are looking to do the auction on September 15, which will give them sufficient time to advertise this, etc. Sometimes the auction is held in the spring, but this year it was decided to do it in the fall because the Highway Department was changing over their fleet during the summer, and they wanted to get the trucks into the auction cycle.

Motion by Selectman Robinson, seconded by Selectman Maddox, to hold the annual town surplus property auction on Sept. 15, 2007 at the Hudson Highway Garage, starting at 9:00 a.m. and to approve for the auction the list of surplus property attached to the memo from the Town Administrator, dated August 15, 2007, entitled Town of Hudson Town Auction List.

Selectman Maddox thought the Cable Utility could go up and do a preview and put that on blue screen time so people will know what this is. A lot of times, citizens see this in the paper and read some of this stuff, it looks kind of nebulous, although this year there is a 1984 Chevy 4 X 4 pickup truck, if you're dying for a vintage truck. Mr. Malizia added that it comes with a plow. Selectman Maddox said "two printer stands," could mean anything. If possible, a quick 10-minute overview of some of this stuff could be put on cable to see if they get more response. By the time they get to the bicycles, it's a free-for-all, but there is some great stuff that they've got in the auction, and the more money the town picks up, the more money they collect. Chairman Jasper said, given how some of the stuff is just thrown together, he questioned if it was practical to actually videotape more than the vehicles. He didn't think the bicycles were all lined up outside. They might be in an area where that might be difficult. He's not saying that they can't, but it may be impractical. Selectman Robinson said he'd take that as an action item to see what can be done. Chairman Jasper said they don't want to tie up a lot of staff time, having people take out these items and display because they might spend more on staff time than they might get from the auction. Selectman Maddox said he was just trying to get more people to show up. Chairman Jasper said Selectman Robinson will work with the Cable Committee to see what can be done.

Vote: Motion carried 5-0.

E. Budget Parameters for Fiscal Year 2009

Steve Malizia, Town Administrator, said it's that time of year to issue some direction to the department heads for budget parameters. Last year, it was done at the last meeting in August. This year, they're a little ahead of the curve. Last year, the year before and maybe even the year before that, the parameter has been issues that departments will come in at 3%, exclusive of wage and benefits because they are negotiation items. Anything that exceeded that 3% was to be on a separate prioritized list from the departments. They are halfway way talking to the departments at workshops, so the Board has some idea of what they will be contemplating for warrant articles. Those come in separate, as well as some other large expenditure, over and above things routinely in the budget. That has been the parameter. He looked at the cost of living at the end of 2006 and the CPIU for this area was 3.1%. He reviewed some of the figures he had given to the Board.

For the purposes of starting the discussion, the Chairman asked for a motion to direct the department heads to submit budgets with increases of not more than 3 %, excluding negotiated salary contracts and health costs, and that any additional requests, including warrant articles, be ranked by the department heads and submitted to the Board under separate cover. No one made that motion.

Motion by Selectman Massey, seconded by Selectman Maddox, to direct the department heads to produce a budget, exclusive of negotiated salary and benefits of 0 %, and to come forward with any additions beyond 0 % as to the rationale why.

Selectman Massey said his rationale for 0 % is that they've done it this way for as many years as he's been on the Board and, in most cases, the budgets are coming in at 3 %. It has been his experience over the years that if you tell somebody they can't increase their budget more than X %, that's what the budget comes in at. By setting it at 0 %, they get a true sense of what is needed over and above. He wanted to set it at the default budget, but they wouldn't really know what that was until October or November, so he settled on this as a way to get at the same thing, which is he believes there are needs, but if you start out at 0 %, you identify those needs much quicker than if they set an arbitrary increase and then look at needs.

Chairman Jasper didn't disagree, but what was missing was the ranking, which he finds very helpful in their deliberations. It's important to have items prioritized. Selectman Massey said his perspective was that they will naturally fall out from their budget presentations. Chairman Jasper thought that happened last year, and he was quite mistaken, although it was directed that they be ranked. He didn't understand what the harm was in having that ranked.

Selectman Robinson was recognized, who asked Selectman Maddox, who seconded the motion, to speak. Selectman Maddox said in his mind, he was more aggressive than Selectman Massey. They need to at least see where their increases have to be, as opposed to where they want to be. That 0 % sets where they are right now, and what the various departments are going to need to spend. With all things going on in a lot of different places, watching their pennies this year is the prudent thing to do. This gives them that baseline.

Amendment by Selectman Maddox, seconded by Selectman Nadeau, to include the ranking in the motion carried 5-0.

Vote on the amended motion carried 5-0.

F. Negotiation Team for Hudson Police, Fire and Town Supervisors' Association

Steve Malizia, Town Administrator, said one contract was up for negotiation this year, expiring next June. Per Town Code, a member of the Board of Selectmen serves as a liaison. Chairman Jasper said he and the Town Administrator had a discussion today and felt it might be a good idea to allow one of the junior members of the Board to get their feet wet on this, so if either Ben or Doug would like to volunteer? Selectman Robinson volunteered, saying it would be good learning experience. Selectman Maddox said it has to be voted on by the Board, per the Town Code. Mr. Malizia said the Chairman makes the appointment, which is ratified by the Board.

Chairman Jasper asked for a motion to ratify the appointment of Selectman Robinson to serve as the Board's liaison to the Hudson Police, Fire and Town Supervisors' Association, seconded by Selectman Massey, carried 5-0.

G. E-mail Policy

Steve Malizia, Town Administrator, said he was requested to prepare a policy for the Board's review that would ensure that e-mail correspondence received by members of the Board from the public/taxpayers/citizens are sent to all members and are available to the public as a public document. This draft policy was for the Board's discussion and could adopt, amend, etc. it, according to its discretion. He made two corrections, based on a conversation he had with the Chairman today, which he passed out to the Board. As with all policies, he tried to keep it somewhat simple so the Board didn't get itself into some sort of hornet's nest, or a situation that would be onerous, burdensome or difficult to extricate themselves from. He was trying to treat it like correspondence. Frequently, they see correspondence from citizens, and the Board is copied on that, as a matter of routine. It's prudent to do something similar with e-mail, too. That's the intent.

Chairman Jasper said it was at his request. He's sure they all remembered at the end of the session, he was quite involved in a House Bill or Senate Bill that would have, effectively, ended their ability to correspond among a quorum of the Board in any manner, including on the telephone. Thankfully, that was killed but it does raise an important question. When they are having e-mail exchanges, and they get questions from members of the public, when they answer members of the public, it's important for the rest of the Board knows what one Selectman is saying, so they are all informed, but when they are having those e-mails back and forth, not making decisions, but putting thoughts out there, that they do become part of the public record, as a letter would be. It's a simple, but effective manner of dealing with the issue and moving forward. In the original packet, Steve had the parenthesis, but not all, which effectively, did the opposite of what he intended to do, so they changed that, and he didn't address an e-mail that was just between a quorum of the Board of Selectmen. It only really addressed e-mails that were from citizens and taxpayers. If they were to start a thread amongst themselves, they would be copying Priscilla on this, and the Town Administrator.

Selectman Maddox said he didn't have a problem with anything that he sends out sent to all of the Board, as he made a policy that if he sent something back, officially, as a Selectman, he'd copy the newspaper, so that's not an issue, but someone sending something to them, whether it's a question or an inquiry, he didn't think that may need to go to all the Board members. If a citizen writes to Selectman Robinson, Selectman Massey and him, that is their prerogative. If they wanted to come to a Board meeting, they would be sitting "there." He is kind of torn. If they answer, it should go to the setup, but he's not sure if someone sends them a question, comment, whatever, that that needs to be broadcast. Chairman Jasper said that was a good point because that was not his intent. Selectman Maddox said but that's what it says. Chairman Jasper agreed. He was looking at some of the details and missed the big picture.

Selectman Robinson said since day one, he's adopted the same policy—if they receive a question or complaint that involves the Board, for whatever reason, it gets publicly submitted to all members of the Board. As an example, he sent out his PowerPoint presentation to a few people whose opinions he respects, and the opinion came back, "don't talk budget." That was prudent advice that he received from a resident. That, to him, wouldn't be something to send to the Board. If he sent out a question and gets back a question, that's him seeking advice, whether it's personal or professional, to how he can be better at his job. He thinks they need to clarify what they really do want. There are a couple of e-mails that led to this policy, plus he has on his business card and Selectmen's card, his serresc account with the town. He has a personal account, as well, that he shares with his daughter, family and friends. If his brother in Massachusetts wrote him, "so what are you guys doing up there with recycling?," they needs a little clearer definition of where they are going with this. He has no problem with sharing anything. His accounts are clean. Sometimes they need to include all of the Board, especially when it is an important subject.

Chairman Jasper said they didn't need to adopt this tonight; the idea was to put something forward. The Board has raised some good points that, perhaps, need to be clarified, that it be official, or relating to town business. They need to have something, but there are some weaknesses and this was just a first draft. Selectman Maddox said, again, a lot of times because it's ABC and WWW., you don't know if they are a citizen of Hudson or the world. If they ask, "are you gaining weight?," he didn't think the rest of the Board wanted to hear about all of that. He guesses they need to tighten this up.

Chairman Jasper wanted to suggest, as part of it, adding in any response by a Selectman will be forwarded, along with the original e-mail to all members of the Board, etc., etc., but it should be clarified at the top it should be e-mail correspondence relating to town business, or relating to the individual Selectmen in their official capacity would be the more appropriate language. Selectman Robinson agreed. Chairman Jasper said if someone on a tear sends an e-mail to the Board, telling them what a terrible job they are doing, or what a wonderful job they are doing, but asks for no response, that doesn't need to be forwarded to the Board. Of course, they may want to, but it doesn't need to be part of the public record. There are two main ideas for this, which he thinks they agree on, when they respond as Selectmen, it's important that the rest of them know what is being said, so they're not walking all over each other and the other thing is to make sure when a quorum is involved, that there is a paper trail because that is a fine area.

Selectman Robinson said when there is a policy decision of the Board, going back about three months, when they received an e-mail about road conditions and the lights going up down by the new center, they each sent an e-mail back to that individual and each had their own spin on it about the Planning Board's response. Would it be prudent in those matters to have one person speak, as to why that is being done, as opposed to responding individually? For example if the press calls about a certain thing, they are referred to the Chairman of the Board, as the Board's spokesman. Chairman Jasper didn't know that they can restrict each other to that degree. They have a right to put out their opinion. They could do that, if they chose to, but he didn't want to infringe on anybody's right to say whatever they want or give their spin on it, but it's important that they all know, so if they contradict each other, they will be aware of it, and they can say, "Selectman Robinson had it wrong because of," or whatever, or "that's one way of looking at it, but my opinion is," so they are not just sending five responses back to people that are totally different and don't have a clue why they are different. That's part of the problem. Or, if someone has spent a lot of time and did a good job, and they get the reply, they can just say, "I agree," and reply that way. In the long run, it will make things a lot better. Certainly, anybody is welcome to defer to anyone. He didn't know that in each particular case they could have someone assigned to every type of question. That would be a little bit cumbersome. It's not inappropriate, if it's dealing with the Highway Department, to defer to the liaison. That would be appropriate.

Selectman Maddox said, to that end, the town's web site now has the liaison assignments, so if people had a particular, that they wanted to send about a department, or whatever... the other thing he'd like to suggest is they have a uniform disclaimer for the Board of Selectmen to say at the bottom, that this document, as written, will be sent to the Town Administrator for filing, to all the Board, so when they send that back, there is a uniform disclaimer that everybody understands is being sent out to who. Chairman Jasper said that's probably not a bad idea. He sees those types of things show up on a lot of e-mails, from somebody who is a little more computer-literate. Selectman Maddox said that's more about privacy. You cannot use this. This is saying we're sending this to X, Y & Z. Chairman Jasper said there must be something where you type a key word and that comes up, and then you hit it. Selectman Nadeau said the signature at the bottom of the thing. Chairman Jasper said someone who is computer illiterate like him would have to be shown how to do that. Selectman Robinson said just a form, the information contained in this e-mail will be shared with fellow Board members. That's all. Chairman Jasper said he understood, but didn't want to have to type that out every time. Somebody more literate than he is would have to show him. Selectman Maddox said that's why they have an IT Department.

Selectman Massey said this is something the IT Department can follow up on. He didn't want them to wind up creating another whole set of processes that may not be necessary. It would be his understanding that when the Selectmen are on the town's inside e-mail system, that a master copy of all e-mails are kept on the exchange server, so there would be no need to have either the Town Administrator or the Executive Assistant maintain those. They are maintained automatically on the exchange server; they just happen to have a copy of your system. Before they really set up a procedure that may not be necessary, they need to verify with the IT Department that that is the case because any e-mails that are sent to the Board on their official town e-mail account... Chairman Jasper interrupted, saying he didn't have one. Selectman Massey said they are going to get one. Selectman Robinson said they are supposed to get one within the next couple of weeks. Chairman Jasper said that was news to him. The problem is when you look at it, how is, if the reporter from the Hudson News comes in and says, "I want to see the e-mail between the Board of Selectmen," how are they going to be able to just... Selectman Massey said the IT Department needs to determine if it's feasible, and his assumption is it would be some type of a folder system set up that would allow that. Chairman Jasper said they still need a policy. Selectman Massey said the policy would be that the e-mails are publicly available. How is done is what he is talking about. Chairman Jasper said how it's done is one thing, but they still need the policy to accomplish that. Selectman Massey said that's right, but maybe they don't need to send every e-mail to the Town Administrator and the Executive Assistant. That's his point. Chairman Jasper didn't think they needed to bring her in on this. Selectman Massey said he'd talk to the IT Director and see if they can incorporate that in the policy.

Chairman Jasper said as a computer semi-illiterate is his personal e-mail address is out there, all over the place. Now, he's going to have to forward everything to himself to get on the town's system? Selectman Massey said he would have an e-mail address that will say, for instance, Selectman Shawn.Jasper @ Hudson. Chairman Jasper said right now, he's on Verizon. He likes it and doesn't want to have a whole bunch of e-mail accounts to look at. Now, he's hearing he needs to have another e-mail account. Selectman Maddox said no, it's just going to be another account inside of his Outlook. It's going to be invisible to him. Selectman Massey didn't want to go that far, at the moment. Chairman Jasper didn't want everything he does to go to

the town. Selectman Massey said it won't. He will talk to the IT Director and she understands it because he's had many discussions with her and before it gets rolled out, they will have a little tutorial for all the members of the Board. The key is that by putting them on the internal system, they can send confidential memos that are required to be private that stay private. Right now, because they are on an external e-mail system, their e-mail traffic is open to compromise. Once you bring it in-house, it will not be.

H. 2007 Annual Town Report Dedication

Town Administrator Steve Malizia said as they were all aware, John Lawrence passed away recently and, in honor of his many years of service to the town, he recommended that the Board dedicate next year's annual report to him.

Motion by Selectman Nadeau, seconded by Selectman Robinson, to dedicate the 2007 Annual Town Report to John Lawrence.

Selectman Massey said there couldn't be a nicer tribute to a man who spent a great deal of his time being of service to the town. It's an excellent tribute to Mr. Lawrence.

Vote: Motion carried unanimously, 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Nadeau thanked the Highway Department, Police Department and the Fire Department for helping the Hudson Historical Society with Old Home Days. He also thanked everyone who attended Old Home Days.

Selectman Massey said it's time for the Board of Selectmen to cut to the chase. The RiverPlace and now the Green Meadow project is consuming lots of time and effort on the part of staff. The key to this whole project, at this point, strikes him as to whether or not the off-ramps from the highway will be permitted by the DOT, and the only way that can happen is if the DOT declares that that portion of the road is no longer interstate system, and until the DOT does that, he believes that the land use boards in town will continue to be listening to design reviews that are going nowhere until that decision is made. He thinks it's appropriate that the Board formally ask the DOT if they are or are not going to declare that a non-interstate system any more because, as it's constructed, you cannot put curb cuts the way they are talking about, as he understands it, without it being declassified—speeds, design, etc., impact that and it has come up twice now, at the Planning Board meeting last week and at the Conservation Commission meeting last night. That's his take on it and welcomes the other member of the Planning Board's input as well, but it strikes him that as long as they continue to have this never-never-land about the highway, they continue to hear what can and can't be done.

Selectman Maddox said he was reticent to say much because it comes back down to that impartiality thing, at this point. The Board of Selectmen are the people that ultimately will have to request something be done with that highway, needs to get more information, so the prudent thing to do is to ask what, in fact, is the procedure that would have to be followed. Selectman Massey may be right that it would have to be declassified, but he was told that if the town is the applicant, then it could be done. Again, there is that unknown, so maybe they just want to get some clarification from someone, but he didn't know who that may be, as to what the procedure is to be able to do some sort... now, they're not even proposing an intersection, per se. It's a bunch of different, smaller ones, almost. There's going to be a cross underneath the existing roadway system, as presented to the Planning Board, so what would it take? That's, maybe, the question before they go and say any more than what the parameters are, the requirements that need to be met for the Selectman to request it. That would be an action item for the Community Development Director or Town Engineer.

Chairman Jasper said he was baffled by the whole thing, watching some of the land use boards, but there is no formal application, and they're talking about what may or may not happen, looking for town input, so to speak, but they're also getting input from boards which don't have any control over the particular situation. He's troubled to hear town staff is spending a lot of time on this because his impression was they were coming in with conceptual ideas, so he didn't know why town staff was spending a lot of time on that. They shouldn't be spending any time on things that don't have an application on file. That needs to be clarified, as to staff time. Mr. Malizia said no one has approached him on that. Chairman Jasper said they shouldn't, because there is no application and no fees, so there isn't anything that should happen. If the applicant wants the Board of Selectman to make application to the state, then they need to come before this Board, not be going elsewhere. It's not fair to put anything on the DOT, either, because there isn't anything before them. There may be conceptual ideas or having discussions. The town has already put a letter into the DOT months ago, asking for input before making any decisions. He didn't know what more they could do at this particular time, but staff shouldn't be spending time on this non-existent project, at this time.

Selectman Maddox said, to that end, they came before the Planning Board and Conservation, to... it's another one of those chicken or the egg. They want to get kind of a pseudo-approval of the plan for the roadway intersection from these land use boards, but that's really got to come to the Board of Selectmen. The Planning Board will certainly control the roads within the development, but breaking into that highway would be the Board of Selectmen's area of responsibility. At some point, they need to come before this Board. He thinks they are trying to come in to the Board of Selectmen with Conservation and Planning being all for it. At last week's meeting, they brought in a very attractive five-pound bag; they're just not telling how much stuff they're going to put in it. They want them to be able to say they really like this, but there are so many other details that the devil could be hiding in that it's going to be tough for the Planning Board, or any land use board, to say this is what we'd like to see before you even come here. Maybe some sort of presentation before this Board to see what they are looking for. He agreed with the Chairman. They are coming in under conceptual. That's a \$100 fee and if they are racking up a lot of hours with town staff, there needs to be some adjustments there. They paid for the Town Planner

for awhile, and they kind of made that a wash, but if the Town Engineer, the Town Planner, Community Development personnel are spending a good amount of time, they need to have a discussion as to the Board of Selectmen, also.

Selectman Massey said to finish up, last night, the Conservation Commission voted to... the applicant was before the Conservation Commission last night to get the Commission's comments on their dredge and fill permit, which is at the state. The dredge and fill permit is the original dredge and fill permit. It assumes the original plan. The Conservation Commission, last night, was told that the permit isn't going to be changed, but that they just won't implement everything that's on that. Consequently, what the Conservation Commission voted to do last night was send a letter to DES, the Department of Environmental Services, with the opening statement in the letter to say that, in the absence of a final plan as to what is planned for that property, they can neither recommend or not recommend or even take a neutral position on their application, then they are going to list all of the concerns they have, relative to the existing wetlands that are going to be impacted by the project.

Selectman Maddox asked if there was a resolution to that, if there was some action item this Board wants to direct someone to request they come to the Board of Selectmen, ask the Community Development Director to find out how much time is being spent on this? Would they like him to follow up on this? Chairman Jasper said the Town Administrator was taking this as an action item to find out what type of staff time was being done. He's not sure he wants to invite anyone here. That's their job to figure out where they are at and where they've got to go. The Board can be helpful, but he's not sure they're ready to come here and he's not sure the Board is ready to absorb what they have to say without additional information. He's like to see a request from them before the Board starts going down that path. The whole this is very puzzling because it sounds like the only thing they are really talking about is a road, and he heard them talk about a bypass. That's nice, but when you think about a bypass that means your bypassing and nothing has come on it, so you can already calculate what the traffic calculations and the roadway needs are for that bypass. But how can they even think about putting in a bypass road without knowing what the traffic demands are going to be on that bypass? That's his problem. It is a case where the cart is going before the horse, sort of like you have to say here's our development plan, now we want to build a bypass to support that. Instead, they're saying we're going to build a road. Then, at least, you have to say this is what the road will support, and then they have to know once you get to that limit, it doesn't matter if you've got 100 or 200 acres left to develop, you've either got to redo your road, or you're done on that development because you've built a road to these specifications, and they don't know what the criteria is at all. So, he's puzzled.

Selectman Massey said it's important this the Board of Selectmen understands what that road issue is all about, so he is comfortable right now that the Board understands there is an issue with whether or not the ramp system can be built. It depends on how the DOT rules, what that highway is going to become. The other issue then becomes how many times do they bring a conceptual plan to the various boards, and that is a matter for those boards to deal with, so he's comfortable right now, based on what Selectman Maddox said, that sending a letter to DOT would probably not be fruitful and they just have to keep abreast of what is happening relative to the Sagamore Bridge area.

Selectman Maddox said great minds do think occasionally together. Addressing Selectmen Robinson, he said he was glad they've taken the word savings, with that whole trash thing, the \$300,000 off the top from what they were at one point, 1.7 to what it was going to go to was not really a savings. He's glad they've taken that away because a number of people he spoke to at Old Home Days; he was out talking a lot of trash at Old Home Days and he's having some reservations about automatically putting it into the roads. A lot of people were poking him, saying where is the savings? It's something they need to hash out in future meetings, how they are going to show that there really is a savings by doing this program. As much as he realized they need to pave, he's wavering on that fence of... a good 50, 60 people told him where's my savings. They either need to... the PowerPoint went a lot of ways to explain what those numbers are, but what they are going to do is still up in the air.

Chairman Jasper said that's a discussion they will have in the spring, when they actually get near the end of the first year and see what's available. This Board will then have a discussion about what those savings are, if they want them to go to surplus or if they want to look at roadways. As he looks around the town, he could find a lot more than 50 or 60 people that would say rather than get 15 cents per thousand back, he'd really like to have those roads paved because they're tired of getting their teeth jarred every time they drive down it. That's a discussion that the Board will have. The real discussion, in terms of next year's budget and what they do will come first because, potentially, Kevin will come in looking for \$300,000 or \$400,000 less in solid waste and then the Board will say they've got some breathing room there. He's already come in with a plan last year that gave them... and they will look at that again, if they want to repave the road every 10, 15 or 20 years. They knew that putting \$400,000 into the roads would take them 50 years, or whatever the numbers were, to pave every road, so they'd be back on horse paths by the time they got through the paving schedule if they don't step that up. The number to do it in a reasonable period of time was somewhere between \$750,000 and \$1 million a year. They will have that decision. They'll take the money out of the budget, and now they'll be looking at the roads. They'll look at it separately, but they always look at it with the tax rate in mind, and that's why they haven't upped that to the \$750,000. The two discussions will take place, but later in the spring, and they'll look at what they've not used and decide if they want to do the same type of thing, and to what degree. Maybe they will have a light winter, maybe they will have a heavy winter. They'll look at all the factors and maybe they'll do \$200,000 or only \$100,000—or none—and he would expect that decision would be more in the April timeframe.

Selectman Maddox said he was saying that he will not be automatically for putting all of that money into repaving, and he didn't think the Board was, either, but that's kind of the word that's gotten out. They have to balance that with the education, like they saw tonight on what that trash was, what the paving issue is and how they can make it offset. That's all he's driving at, just so... he heard some people and just wanted to pass that along. Chairman Jasper said they'd certainly have discussions, but that one would probably be in the April timeframe.

]Selectman Maddox suggested that they have an election summit. At the last election that he was lucky enough to be returned here, he was across the street, but there was a number of things that went on that maybe could have been avoided. Some signage that says Children 14 and Older have to stay Outside the Voting Booth Areas. He thinks there is going to be a new Town Clerk. There isn't even a Moderator appointed yet, which is most likely going to be new. Just so they all have their facts together, as New Hampshire is going to be having an election in January, or December, at the rate the national parties are going, so they have a play book of how things are supposed to be done, who is going to take care of what. If the old Moderator automatically took care of doing X, and they are not there any more, does the new one know they are supposed to take care of that? He's just thinking between the Board of Selectmen, who will get the grief when it doesn't happen right, the checklist people, the Moderator, the Town Clerk, all knowing what their jobs are so that it goes smoothly for the citizens on election day. Chairman Jasper thought that might be a good discussion for the December workshop. If they do it too soon, things might be forgotten. In December, the budgets will be done; the Budget Committee will have it. Selectman Maddox said if Steve can put that on, he will talk to the Town Clerk to make sure she's aware of what they are trying to do.

Selectman Robinson said after the last elections, Howard Dilworth came in and recommended that which Selectman Maddox was speaking of and he was under the impression that they had already decided, as a team, to do that; they had just not picked a date. Chairman Jasper said no, they had not actually had a discussion. Right now, going with the December workshop would work and be the most timely. Selectman Robinson said it was a good idea. Selectman Maddox said yes, again, just so new people know what... so they don't buy the donuts. It could be late December, they way they are going. Chairman Jasper said it looks like it will hold in January, with some of the things that have happened. It would be a Saturday before going into December. Every effort is being made. Even if they do it at the workshop, which is the first meeting in December, they can be confident it's not going to take place before the workshop. If it does, they will have advance notice and will move up the meeting.

]Selectman Maddox said, finally, because they can't let the chairs die, at the last regular meeting, Selectman Robinson pointed out that he had no life and was reading Selectmen's minutes to fill in some of that void and he found they spent \$7,000 in the Police Department for 10 chairs, budgeted. He had repeated it twice and did the math both ways and figured out it was \$700 a chair. He went back to his budget book and found those very same chairs and had it highlighted. As he understood it, some of those were to be dispatch chairs, which they expect to be more money. He thought that was the mix, so it wasn't just automatically just 10 into \$7,000 is \$700. The other thing is they are going to have to change his title from Sir Douglas to Seer, Sorcerer, or whatever, because he went to the minutes of 10/23 that he referenced, and there is no mention of chairs in the Selectmen's minutes, so they should have him picking all of their Lotto numbers.

Selectman Robinson said there is no mention of chairs in the minutes because there was no discussion of the chairs. Thus, they accepted the budget as written. If he (Selectman Maddox) had a concern about the chairs, then he would have mentioned the chairs during the discussion, and the minutes of the meeting would have shown there was a concern with the chairs. As there were no notes or minutes of the meeting referring to those chairs, Selectman Maddox voted yes for those chairs. Selectman Maddox asked how they would know that from reading the Selectmen's minutes. Selectman Robinson said because what they say is recorded, just like this one will be. Chairman Jasper cautioned they were getting into a running debate. Selectman Robinson said they should agree to disagree and move forward. Selectman Maddox agreed.

Selectman Jasper thanked the Hudson Historical Society for, once again, sponsoring Old Home Days and putting on a good event. He spent a lot of time there in his political seat and got to talk with a lot of people there and around the fairgrounds. As always, it was an enjoyable event and he thanked them for another successful Old Home Days. The change in the fireworks was very good. Having a new fireworks vendor, the display was rather spectacular. He didn't care much about the carnival because he doesn't go on the rides; he can't even go on the Caterpillars any more without feeling woozy. Selectman Robinson said the fireworks were constructed and produced by a Hudson company and a Hudson resident.

10. **NONPUBLIC SESSION**

Motion by Selectman Maddox, seconded by Selectman Nadeau, to enter Nonpublic Session, after a 10-minute break, under 91-A:3 II (b) The hiring of any person as a public employee; (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting; and (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.

The Board entered Nonpublic Session at 8:37 p.m., thus concluding the televised portion of the meeting. Any votes taken upon exiting Nonpublic Session will be listed on the Board's next agenda.

Open Session Motions:

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.

11. ADJOURNMENT

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

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