

HUDSON, NH BOARD OF SELECTMEN
Minutes of the June 12, 2007 Meeting

1. **CALL TO ORDER** by Chairman Shawn Jasper at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. **PLEDGE OF ALLEGIANCE**, led by Representative Bob Haefner.

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; Jim Michaud, Assistant Assessor; Shawn Murray, Fire Chief; Neal Carter, Deputy Fire Chief of Operations; Jim Michaud, Assistant Assessor; Rob Buxton, Deputy Fire Chief of Support Services; Brion Carroll; Terry Stewart; Jim Barnes; Mike O'Keefe; Leo Bernard; Linda Kipnes; Bob Haefner; Jean Serino; Tim Quinn; Sandra Rumbaugh; Atty. Andrew Prolman; Howard Dilworth, Jr; Tim Tollefson, HLN

4. **PUBLIC INPUT**

Bob Haefner, 1 St. John Street, said he wanted to give the Board four updates. First, he and his wife have bought a tree and donated it to the Cemetery Trustees for the Poor Farm Cemetery. He asked Kevin Burns to plant it for him, and it has already been done. He thanked him and the Board for that.

Secondly, the Board and the Town Administrator are invited to a dedication of the Poor Farm Cemetery on Saturday, September 1 at 9:00 a.m. He asked for permission to ask the Town Chaplain to do the benediction. Chairman Jasper said he didn't need the Board's permission for that.

Continuing, Mr. Haefner said a year ago, he received permits to put up conservation signs on three of the Conservation Commission's properties—the Town Forest, the Ingersoll property and Musquash. The school kids made those signs, large oak signs. Mr. Haefner is going out with Kevin's crew on Thursday to install them.

Lastly, he wanted everyone to know that the Conservation Commission is doing a walk on Saturday at 9:00 and the public is invited. They are going to walk part of the circumferential highway corridor, off of Bush Hill Road. Everyone was welcomed, but each of them should bring mosquito repellent and water. Chairman Jasper asked where they would be meeting. Mr. Haefner said on Bush Hill Road, by the state property sign.

Jean Serino, 118 Robinson Road, said she has observed that some tree cutter person is going around, cutting people's trees for them, for free, she thinks, but he is cutting them... on Stoney Lane there are three houses, whose trees have all been cut down, totally cut down, and they left a mess. She wanted people to be aware of the fact that there is a difference between a logger and a forester. A forester has to be licensed and he has to know the state regulations, especially about cutting in the wetlands. A logger is anyone who wants to hang up a shingle. She cautioned people to be very careful when someone says they are going to do something for free; it's never free. They leave a mess; they are cutting in wetlands—not on Stoney Lane, but in other places—and then you have to go in and fix it because they've left a mess. She warned people that a nice, straight oak tree is worth up to \$15,000, so they are making money cutting down the trees—doing you a big favor, then leaving a mess.

Secondly, some of the members on the Conservation Commission are going to be writing a tree ordinance, so anybody who is interested ought to call either Sandra Rumbaugh or her, at 889-4744, or Tim Quinn, and get on board for that.

Thirdly, relative to her television program, she is looking for anybody who is a musician, who would like to sing or play an instrument to be on her show. She has been doing quite serious shows and now it's time to do something fun. Tim, who is an expert guitarist, will be playing the guitar. She'd like to get other people on, as well. Call her at 889-4744 so she can make them famous. She pointed at Selectman Massey, saying he was a singer.

Selectman Massey said they've had a recent violation of the wetlands for a piece of property that was logged. It turned out that the person who did the logging was a logger, and not a forester. As a result, significant damage was done to the wetlands. There is a mitigation plan that the Conservation Commission approved last night to correct it. He reiterated what Ms. Serino was saying. They need to be careful when contracting with someone to cut trees. Ms. Serino thanked him. Chairman Jasper thanked her, wishing her good luck with her talent show.

5. **NOMINATIONS & APPOINTMENTS**

- A. **Recycling Committee** (3 members, 2 to expire 12/31/07 and 1 to expire 12/31/09)
 - 1) Acknowledgement of resignation of Michele Bolton
 - 2) Marc Michaels withdrew his application.

Chairman Jasper thanked Ms. Bolton for her service. She is moving out of state and already resigned from the Sewer Utility Committee. There was one applicant, but he has withdrawn his name.

- B. **Planning Board** (1 member, term to expire 12/31/07; 1 alternate, term to expire 12/31/08)
 - 1) **Terry Stewart, 22 Tamarack Street**, was recognized and said she served as a member of the Board of Selectmen for nine years. During her tenure, she was the Selectmen's representative to the Planning Board for six or seven of

her nine years, so she is well aware of the procedures. She knows the cast of characters that are sometimes involved with the Planning Board process. She is a long-term resident of the town, graduating from Alvirne in 1975. She can remember when Executive Drive was Kashulines' cornfields and when Fox Hollow and Teradyne were Jette cornfields—and she won't reveal how old she is going to be this year.

Chairman Jasper thanked Ms. Stewart for applying; it's sometimes very difficult to get people to step forward, especially with the Planning Board, which is coming busier and busier and facing the uncertainty of what may now go on with Green Meadow. He asked if she had any thoughts on that project, or any ideas she has put forward. Ms. Stewart said no. Chairman Jasper asked how she would go about judging such a project. Ms. Stewart said any project that's being brought before the Planning Board needs to be looked at on an individual basis on how best it could be developed for the town of Hudson, what the benefits are. As she already said, she remembers when there were a lot of cornfields in town, and unless the town plans to do something about purchasing that piece of property, the reality is it's going to be developed some day. She didn't know how it should be, but there is no plan before them right now, so there is nothing really to discuss.

Selectman Robinson asked what she thought her strongest quality was she would bring to the Board. Ms. Stewart said being impartial. She is a fair judge of issues. When she represented the Selectmen on the Planning Board, when she felt she had a conflict, she stepped down, such as on her church, her chiropractor and her dentist.

Chairman Jasper stated that the Board's practice and policy was to interview at the first meeting and to make the appointments at the following meeting.

- 2) **Brion Carroll, 4 Old Coach Road**, (current alternate, term to expire 12/31/09) was recognized. He said he was a current alternate on the Planning Board and was also a full member of the Nashua Regional Planning Commission for over two years. There is a lot going on in Hudson. He is interested in being an active member of the Planning Board and his activities as an alternate has proven that. He probes deeply when he has questions and he approaches things impartially when reviewing information. He feels he qualifies for the full position.

Selectman Robinson asked what he thought his strongest quality was that he would bring to the Board that would set him apart from the others. Mr. Carroll said he is an analyst of things. When he looks at what is put in front of him, he looks at it from the perspective of how it fits—is it a square peg in a round hole?, what is out of place, and he tries very hard to answer the question so that everything comes together in a nice, neat package. Sometimes, he doesn't necessarily agree with what people are doing. At one time, there was something before the Planning Board where they were moving the library from the center of town out by Alvirne, and that felt weird to him, until he heard the rationale for doing that. Then it made sense, but he had to probe. He is a very investigative, analytical individual, and when the answers are presented, he looks at them impartially and makes judgements, based on that.

Chairman Jasper asked, relative to the idea that Green Meadow will be developed, what his thoughts were, because that's probably the single largest undeveloped piece that is likely to be developed in a commercial-industrial manner. Mr. Carroll said those that watch the dialogue on Green Meadow at the Planning Board sessions know his position. When you are developing it for residential, industrial, mixed use, etc., it has to be something that, when developed, it is really something that creates pride for the town of Hudson. People shouldn't turn their head, feeling that someone screwed up and, hopefully, it would be fixed someday. Or, if it is developed, that it actually presents a useful structure that the town can support. If it's bringing 5,000 cars a day and nobody knows where they are coming from and it turns out everyone is coming through their back yard, and people don't want to live here any more because they can't drive, then that doesn't work. If you develop something, you should take into account the holistic influence it will have. Selectman Maddox has brought up what's going to happen in five years, and what is it you've done, if you build this? He feels the same way. If you're just thinking of short term tax revenues, then you are a short-sighted planner. If you're thinking too long term, you're unrealistic because you can't forecast that far. The key is to mix that and to really look at what you can rationally assess and use that to judge what goes there. He does not care if it's industrial, mixed use, residential, as long as, in the end, it's the best use of that land and it influences Hudson in a positive way.

- 3) **William Cole, 12 Fairway Drive** (current alternate, term to expire 12/31/07) was unable to be present, but submitted a letter to be read into the record, which was copied to the Board. Chairman Jasper said it was very important, particularly at this time, that the Board interviews all of the candidates who have applied that are being considered, so he asked that Mr. Cole be asked to attend the next Selectmen's meeting. It is important for the Board members to speak with individual candidates, particularly this Board, at this particular time. Hopefully, he will be present at the Selectmen's next meeting.

Selectman Robinson said Mr. Cole requested that his letter be read into the record. Chairman Jasper said it was part of the public record. He declined to read the letter, believing that it wasn't necessary. People make brief opening statements, but this was a rather long letter. If any Board member wished to read it, they could. Selectman Robinson said he'd be happy to read it, and proceeded to do so (as follows):

The purpose of this letter is to respectfully request the Board of Selectmen's appointment to the vacant Member position on the Hudson Planning Board. In addition to my many years of service to our community-

as a member and President of the Hudson Town Council, as a member and Chairman of the Hudson Board of Selectmen, as well as a variety of other volunteer positions since moving to Hudson with my family some 25 years ago-my continuing commitment as a current Alternate Member of the Planning Board is offered in support of my request for appointment. The Board of Selectmen appointed me to my current position on 11 Sep 2006. As such, and with 9 months of service, I am presently the longest-serving Alternate Member of the Planning Board. Since being appointed as an Alternate Member, I have always and in every respect endeavored to contribute, in any way possible, to the future well-being of our community-especially as it relates to on-going or future development and land-use issues. To that end, I have worked tirelessly to educate myself in the complexities involved in and surrounding land-use issues at the local, state and federal levels. Given the personal and professional time constraints that all volunteers are subject to, my attendance record over the last 9 months has been especially noteworthy. My views on and efforts as related to a wide range of diverse land-use topics have been, for the most part, favorably received. My willingness to openly and objectively discuss issues impacting our community is a matter of public record. My efforts have always been, and will always be, in support of what I believe to be the best interest of our community. Anything less would be a gross irresponsibility in response to the implied will of the people who have instilled their trust in our town officials. With regard to my fellow applicants for the current open Member position on the Planning Board, I note their obvious enthusiasm for the vacancy and have, I assure you, an appreciation of what motivates each of them. Brion Carroll has, since being appointed to an Alternate Member position in December of 2006, made an impact on and contribution to the Planning Board. Former Selectman Terry Stewart's credentials as an individual dedicated to community service need no elaboration. I certainly count myself among those who welcome her re-entry into the public arena. I am quite certain that their contribution to the "land-use challenges and dialogue" will not be diminished while serving as Alternate Members of the Planning Board until such time in the future as Member vacancies occur. In closing, it has been suggested to me on a number of occasions that there may be members of the present Board of Selectmen opposed to my appointment to a Member position on the Planning Board. This opposition, it has been further suggested, stems from a lingering perception of ill-will over issues long passed or unwarranted concern over hypothetical scenarios which, given recent events, most assuredly will remain purely hypothetical. I certainly don't believe for one moment that any such pettiness or vindictiveness exists on the current Board. Nor do I believe that such obvious flaws in the conduct of the peoples' business would be allowed into the Board's decision. With every expectation that the Board will take the right and honorable course of action, I respectfully request that the Hudson Board of Selectmen appoint me to the presently vacant Member position on the Hudson Planning Board. Thank you for your time. I remain. with regards, William P. Cole.

6. CONSENT ITEMS

Motion by Selectman Maddox, seconded by Selectman Robinson, to approve the consent items, carried 5-0.

A. Assessing Items

- 1) Elderly Exemption (9 Windham Road), w/recommendation to re-grant)
- 2) Disabled Veteran's Tax Credit (9B Doveton Lane), w/recommendation to approve.
- 3) Residence in Industrial or Commercial Zone, (104 Lowell Road), w/recommendation to grant.

B. Licenses & Permits

Petition and License (21-945)for one pole (76A/7Y), w/recommendation to approve

C. Calendar

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| 6/13 7:00 Planning Board in CD Mtg. Rm. | |
| 6/14 6:30 Recreation Committee @ Oakwood | 7/11 9:00 a.m., Joint Loss Mtg. in CD Mtg. Rm. |
| 6/14 5:30 Sewer Utility in BOS Mtg. Rm. | 7/11 7:00 Planning Board in CD Mtg. Rm. |
| 6/14 7:30 ZBA in CD Mtg. Rm. | 7/12 5:30 Sewer Utility in BOS Mtg. Rm. |
| 6/18 6:30 School Board in BOS Mtg. Rm. | 7/12 6:30 Rec Committee @ Oakwood Facility |
| 6/19 7:00 Cable Committee in BOS Mtg. Rm. | 7/12 7:30 ZBA in CD Mtg. Rm. |
| 6/20 5:00 Water Utility in BOS Mtg. Rm. | 7/16 7:00 Recycling Committee in BOS Mtg. Rm. |
| 6/20 7:00 Library Trustees in BOS Mtg. Rm. | 7/17 7:00 Board of Selectmen in BOS Mtg. Rm. |
| 6/20 7:00 Hudson Seniors in CD Mtg. Rm. | 7/17 7:00 Cable Committee in CD Mtg. Rm. |
| 6/21 7:30 Budget Committee in BOS Mtg. Rm. | 7/18 5:00 Water Utility in BOS Mtg. Rm. |
| 6/25 7:00 Recycling Committee in BOS Mtg. Rm. | 7/18 7:00 Library Trustees in BOS Mtg. Rm. |
| 6/26 7:00 Board of Selectmen in BOS Mtg. Rm. | 7/18 7:00 Planning Board in CD Mtg. Rm. |
| 6/27 7:00 Planning Board in CD Mtg. Rm. | 7/19 7:30 Budget Committee in BOS Mtg. Rm. |
| 6/28 7:00 Open Space Meeting in BOS Mtg. Rm. | 7/23 6:30 School Board in BOS Mtg. Rm. |
| 6/28 7:30 ZBA in CD Mtg. Rm. | 7/24 7:00 Board of Selectmen in BOS Mtg. Rm. |
| 7/04 4 th of July Holiday, Town Hall Closed | 7/25 7:00 Planning Board in CD Mtg. Rm. |
| 7/09 6:30 School Board in BOS Mtg. Rm. | 7/26 7:00 Open Space in BOS Mtg. Rm. |
| 7/09 7:00 Conservation Cmsn in CD Mtg. Rm. | 7/26 7:30 ZBA in CD Mtg. Rm. |
| 7/10 7:00 Board of Selectmen in BOS Mtg. Rm. | 7/30 7:00 Recycling Committee in BOS Mtg. Rm. |

7. OLD BUSINESS

A. Votes taken after Nonpublic Session (No NPS on June 5, 2007)

B. Community Development Department

Sean Sullivan, Director of Community Development, said at the Board's workshop meeting, there was a discussion that centered around the vacant position in the Community Development Department, identified as Secretary 1. The Board had asked him to redraft the job description, which has been done. The Board also asked him to identify where funding was available to fund the position of Administrative Assistant, which is an existing, unfilled position. His recommendation was that the position of Administrative Assistant be filled, and he provided a scenario for funding. There would be a budget shortfall of approximately \$15,833 if they were to hire an Administrative Assistant at Step 4, as he recommends. He identified the proposed sources of revenue. The first would be the \$15,000 would be made up from the Green Meadow Golf Course folks. He spoke to them today, and the door is open, but he didn't get a definitive answer. At this time, he didn't think they could count on that revenue source.

Chairman Jasper said they have the ability to hire additional staff through contract, however, when it becomes a full time regular employee, they have to fund that within the budget. It's not an option to fund an employee of the town. Mr. Malizia said they could make up a shortfall. For example, in this fiscal year, they could be on contract until approximately September, then they would become full time, fitting into the budget. Chairman Jasper said he'd agree with that. For the purpose of tonight's discussion, since that hasn't been offered, that option is off the table.

Mr. Sullivan said the second option was savings identified from various items in the budget. The third alternative was the Planning Board expendable fund, 1050-200, which has a balance of \$69,402. In the past, he and Selectman Maddox have had thought of creative ways to expend that money on behalf of the town. The fourth option was the Board of Selectmen's Professional Services account, 5110-252, which has a balance of \$98,000. That money was raised and appropriated for the review of the Green Meadow proposal. Chairman Jasper said, in addition to item 1, being off the table, items 3 & 4 were, too. They need to focus where they are going, in order to accomplish the goal, so item 2 seems to be the only viable alternative for a town employee position. Mr. Sullivan said that was his recommendation.

Chairman Jasper said there are three steps to accomplish this, and he'd like to take them in order. The first would be to approve the job description of Administrative Assistant in the Community Development Department. That does not mean they would necessarily go any further; they'd already have, within the contract, that position. It might be easier to approve or not approve it, and move in the next logical step, so they don't get too tangled up in this.

Motion by Selectman Massey, seconded by Selectman Maddox, to approve the job description of Administrative Assistant in the Community Development Department.

Selectman Massey said when they last reviewed, he thought they were going to come back with a job description for an Associate Planner, not an Administrative Assistant. The question before them, when you read the job description, the majority of the activities are administrative in nature, and there's only one reference in the entire document to Planning and Zoning Board activities. He asked if it was Mr. Sullivan's intention that this job would be primarily an administrative function, and only secondarily engaged in planning and zoning activities. By that, he means actually working with applicants on the development of their applications, the preparation of their applications and making sure that all of the appropriate requirements for submitting an application to the town are complete. Mr. Sullivan said a minimum of 50% of the time, this person would be doing just that. One of the primary duties of this position would be to attending Zoning Board meetings, assist applicants with their applications, provide them insight and overview of information supplied, attend the meetings, work with the Zoning Board directly, follow up and draft the Zoning Board permits, have regular communication with the Chairman of the Zoning Board in preparation of the agenda, put the meeting information together, mail out the agenda packets, gather the correct abutters' lists, review the abutters' list with the applicant, etc. As importantly would be to work with the Town Planner to help schedule and run the CIP process, which is an annual process. They have a secretary helping them out, really taking the ball and running with that. He envisions that duty being part of this person's responsibility, as well as organizing and essentially directing the meetings they have with the developers before the development actually hits the Planning Board meeting, so that staff can have a meeting, make recommendations, have the engineer provide input and supply that to the individual application, as well as provide that information to the Planning Board during the review process. Those are some of the duties, but a minimum of 50% related directly to Planning and/or Zoning Board. Primarily, Zoning Board right now, with assistance to the Planning Board, if needed—if the Planner is on vacation, if the Planner is sick or in a conference. Then this person would be brought up to speed and would be involved in the loop of communication on a regular basis and would be able to pinch hit, if needed, with the review of plans and attendance at Planning Board meetings. This person would also do the typical office administration that they all, upstairs, handle—people at the counter that deal directly with land use questions.

Selectman Massey asked if Mr. Sullivan would see this individual being the primary Zoning Board attendee, or would he continue with that task. Mr. Sullivan said this person would be the primary. Selectman Massey began to address the \$4,800 that was identified as a source of funding, but Chairman Jasper said they should be speaking to the motion.

Selectman Maddox referred to the fifth paragraph on the second page of the job description, "Assures that assigned areas of responsibility are performed within budget," and he didn't think that was this person's responsibility. Mr. Sullivan said he would maintain that responsibility. Selectman Maddox thought Mr. Sullivan was trying to do something in a way that made everyone happy. This person is a jack of all trades. He was looking for someone to fill in at ZBA, but if and when Green Meadow ramps up again, that person should be able to assist John, as he starts to go more and more on Green Meadow. He didn't know how to write a job description for that; he guessed it comes under "performs other duties, as assigned." He

originally thought, as the maker of the motion did, this was going to be an Assistant Town Planner, but since Mr. Sullivan is trying to make this a jack of all trades, to call it the Assistant Town Planner would be a misnomer. It's really a function of if they are comfortable with this job description being able to get what needs to be done within the department, understanding they've lost somebody at the counter, but now they are gaining somebody that's going to have more experience in the land use board area.

Selectman Robinson asked what the second and third parts of the discussion were going to be, in addition to their discussing the job description first. Chairman Jasper said the second part was authorizing the posting of the vacant position and then, if that is done, they would identify the funding source. Selectman Robinson asked if the present secretary was earning \$35,000. Chairman Jasper said that discussion would be on the posting, when they talk about salaries. This is simply a discussion on the job description, without any monies attached to it. Selectman Robinson asked Mr. Sullivan why he needs the position.

Mr. Sullivan said they've had a vacancy now for approximately 10 weeks. They hired back the person who resigned for a month, they contracted with her prior to her move out of state. It has been approximately six weeks that they've been without a full-time town employee. In the interim, they've had a contract planner, who has been able to provide service to the public. Had they not had that person, he'd have been in here sooner. This is their peak time. Last month, they issued 136 permits, which are at a premium this time of year. They are down a person. Assuming the contract person is done June 30, the impact of being down an employee will be felt even more so. At the counter during the day, on average, they have up to four people waiting for service at one time, with three phone lines constantly ringing, throughout the day. When they are down a body, they really feel it and, ultimately, the customers feel it. They are not getting a service they are entitled to, as expeditiously as they are familiar with. When the lady who was here left, they had fewer people. In the interim, they have still provided a service. With an Administrative Assistant, they can not only provide a service, but a higher level of service. They can provide a level of service at the counter and on the phone. That's what they do in a service industry. However, this position will be able to free up some of the duties that some of the other secretarial staff have. Currently, on lady wears about five different hats, and does when he envisions is probably one of the most important jobs in the department, and the common dominator in the department is issuance of building permits. Some day, whether you are a factory or a home owner, you are seeking a building permit. They've got a new computer module they've worked with IT to develop and this lady has worked very hard to develop that computer program. To do that job, to maintain service at the counter, to answer the phones, and to handle all the ZBA information, you're running around like a one-armed paper hanger, particularly when you're down a body, so he will shift the ZBA duties to the Administrative Assistant, so that position could focus up to 50 % of the time on that duty, along with helping with planning projects. Additionally, the CIP project. They have another secretarial position who has staffed the CIP process. She has done the best as she could, but they are falling a little bit behind because they've been down a person. This is the peak time of the year and demand at the counter and on the phone is greater. This position would be able to handle that in a more timely fashion. He thinks they could provide better service and manage things more efficiently and, ultimately, provide a better service to the town residents.

Selectman Robinson said if they had posted this and filled it eight or nine weeks ago, Mr. Sullivan wouldn't have had these problems, being short-staffed, in the secretarial position. Mr. Sullivan said that was correct. Selectman Robinson asked if this person would be involved in writing grants. Mr. Sullivan said yes. Selectman Robinson asked if they would be drafting ordinances. Mr. Sullivan said yes, they would be helping with that. Selectman Robinson said in checking the numbers in the budget, between Zoning, Building and ZBA, in just those three lines, the expected revenue is \$373,000 but they are presently \$72,000 short, or down 19%. The amount of paperwork they are generating is down. Building permits are a big part of the job, and right now, they are down 28%. Mr. Sullivan said there was no question about that. Selectman Robinson said they were down \$47,000. Planning Board was down 68% in fees. With the downturn in business, or the amount of paperwork going through the Community Development office, is this really the right way to go? It seems to him that with the slowing of the economy, they are down a huge chunk of money. To add a new job to that department doesn't seem, to him, to be the correct way to go.

Chairman Jasper said they should be talking strictly about the job description, although he let Selectman Robinson stray a little away from that. Chairman Jasper said this job title makes a lot of sense because this position covers a wide variety of tasks, much more than just an Assistant Planner. He commended the work that has been done in tweaking the description.

Selectman Massey said there are several positions in town that are classified as Administrative Assistant, so to be clear, this job title should be Administrative Assistant/Community Development Department. Mr. Malizia said there is not other Administrative Assistant; he was probably thinking of Administrative Aide, of which there are five or six in town. Selectman Massey said he still thought, to be clear, this job description would not apply to any other department, if they were to create a position called Administrative Aide. Chairman Jasper said the description does include the department, so that clarifies it.

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

Selectman Maddox asked if they did, in fact, remove the fifth paragraph. Mr. Sullivan said yes, that would be deleted. Chairman Jasper said they just approve the job description, without amending it. Selectman Maddox said he had talked with him earlier and he said he was going to take it out. Chairman Jasper said there was no amendment, and he thinks it is appropriate for that wording to stay. It's important that in areas of responsibility, they are performed within budget. Selectman Maddox quipped that he had a collection of dead horses for later, so he'd let this one roam off the range.

Chairman Jasper said the next item was to authorize, or not, the posting of the vacant position of Administrative Assistant in the Community Development Department.

Selectman Massey said it was premature to talk about posting a position when they don't know if they have the money to fund that position. The first thing they have to determine is whether there is money to fund the position. Chairman Jasper said he would rule that sources of funding have been identified. The only question that remains is which source of funding and how the Board wants to do that. Selectman Massey said that's why he thinks it is important to talk about that funding first. Chairman Jasper said his ruling is that it's premature to talk about finding a funding source for a position that hasn't been approved to post. Selectman Massey said it sounded like circular logic to him.

Motion by Selectman Massey, seconded by Selectman Maddox, to over-rule the Chair's ruling carried.

Selectman Massey said there were two problems with this funding source, if they go to the page they are talking about. The first one is they are going to post this job and if, for whatever reason, the individual that is hired takes health benefits savings, then the \$7,000 is no longer available. The question he has is, his understanding was, that as of May 17, the funding from W/S ceased; when they withdrew their application, their monies were to be returned to them. He's not clear that, in his mind right now, the only monies they absolutely know are available to fund this position is the monies from the mosquito control and supplies. Chairman Jasper said until such time as they decide what to post, and at what salary level, they don't know how much money they are looking for. Selectman Massey said he's said his piece. Chairman Jasper said when they post this also makes a difference. His feeling is the remaining fund balance from W/S of \$4,800 cannot be used to increase the bottom line within the department. Had they been having the discussion in the order he wanted, he would have suggested that they extend the contract of the current contract employee for the period of time to use up the remaining money that was for that purpose and, therefore, using that for the appropriate purpose. Mr. Malizia said the intent was to use all that money, extend that contract, and once the contract was over, they'd be down to a deficit of 11k, then they'd look at the pieces they have some control over.

Selectman Maddox said he believed Green Meadow funded that through June 30, not a specific dollar amount. Chairman Jasper said they delivered a specific dollar amount to the town to fund that position; the town set the contract. They made a deal to fund X amount of dollars. Selectman Massey said only through June 30. Mr. Malizia said no, that was the town's contract. Chairman Jasper said they agreed to provide funding for X amount. The contract was the town's contract. Selectman Robinson said the Finance Director told him today that the position was paid through June 30. Chairman Jasper said there is a contract through June 30. There is a remaining fund balance of \$4,800 as of June 30, and the town can extend their contract up to the \$4,800 value. Selectman Massey said he would think they should verify with either Town Counsel or W/S that that's the case because it would be his expectation that if they know there are monies left over as of June 30, they would request those monies back. Chairman Jasper said June 30 does not have anything to do with W/S. That was the contract the town made. It was never a part of any discussion with W/S. Selectman Massey said they made it on the basis that that individual was there to support the RiverPlace work that W/S was requesting of the town. He believes that \$4,800 is not guaranteed. Chairman Jasper said the \$4,800 is in the town coffers. They agreed to fund the position for six months. That is what they provided the town with; six months worth of funding. They walked away. They recognized they had made a commitment, that they had paid—end of story.

Selectman Robinson asked how much the position paid for the secretary who left. Mr. Malizia said \$35,880.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to fund the contract planner through July 20, 2007, with the remaining monies from the W/S funding, subject to review by the Town Administrator.

Selectman Maddox said if that money is available, that would at least fund this issue through July 20; it will expend the money on what it can be expended on and carry this person through the third week in July and give them more time to deal with all of it. Selectman Massey said he'd vote against it because of the uncertainty. That would lead him to say they shouldn't vote unless they know absolutely. Chairman Jasper said that's why Selectman Maddox put the caveat in there about the Town Administrator reviewing it. Selectman Massey said he understood that.

Vote: Motion carried 3-2. Selectmen Massey and Robinson voted in opposition.

Chairman Jasper said they are back to the question of identifying a funding source for the position that they have not authorized the posting of. Selectman Massey said the bottom line is the minimum salary for that position is \$47,716 which leaves them approximately, if the current salary in the budget is \$35,800, \$12,000 short. The only monies they absolutely know they have in the budget for fiscal 08 is \$4,033. If they are posting it and intending to do a real search, even though he understands there is a candidate that could fit this job, if in fact, for whatever reason, find somebody who is going to take the job but requires the benefits, then they can't count on the \$7,000 being available to fund this position. Chairman Jasper said, again, that is why, had they done the motions the other way, they could have posted a salary range; they could have taken that into account. Selectman Massey said they have a \$12,000 shortfall, at the very first step, and they have only identified known funds of \$4,000, so they have an \$8,000 shortfall at the starting salary for that job. His question to the Town Administrator and Community Development is where they would get that \$8,000 if the individual who has hired takes the health insurance. Chairman Jasper said that's why, had they discussed if this was a position they wanted to have, and the posting range, when they got to this point, they'd have made the decision it was what they wanted to have, or they decided they didn't want to have it, and they wouldn't have had to have this discussion. He suggested they run a general fund budget of \$20 million, that

they have a contingency account of \$50,000. If the Board decided this is a position they wanted to have, and this was the salary range, the Board has within its discretion the ability to move funds from almost any place it wants to. To argue, at this point, about where they are going to find money, seems to be an argument against the position in a round-about way. They all know full well that if they want to find \$7,000 or \$8,000 they are intelligent enough to do that. That's what they have a \$50,000 fund for.

Selectman Maddox said they've been beaten up enough and asked if the Chairman had a draft motion. Chairman Jasper said to post the vacant position of Administrative Assistant in the Community Development Department, with a salary range of \$47,716 to \$51,713. Selectman Maddox so moved, but there was no second to the motion. Chairman Jasper said the motion dies for lack of a second. Selectman Maddox moved to post a Secretary 1 for the Community Development Department because they can't continue to leave that position vacant. Chairman Jasper said there's no need for the Board to do that, as that task has been delegated to the Town Administrator. The Board has given its direction and he's sure the Town Administrator will act accordingly.

8. NEW BUSINESS

A. Liaison Reports

Selectman Nadeau said there are a couple of things coming up in the Rec Department. On June 15, from 3:00 – 8:00, there will be signups for the summer program, with a cost of \$150 for the first child and \$125 for the second child. They also have 10-day passes for \$60. The program starts Monday, June 25. Also on Friday, they will be accepting fall soccer signups at \$30 and \$20 for each additional child, ages 5 through 8th grade. Robinson Pond is open from 9:00 a.m. to 8:00 p.m. through Labor Day. The first Father-Daughter dance was last Friday. There was an outstanding turnout, with over 200 people. He was there, along with Selectman Robinson, Dave and Sue Yates, and some people from the Recreation Committee. It was a good time. They did pictures and distributed them. Everyone was very happy. Jette Field II is coming along. They will be putting the fence up within two weeks.

In the Finance Department, they are still working on getting ready for the audit.

Selectman Massey said this past Saturday, he attended a workshop put on by the Local Government Center. Selectman Maddox was there, too. He came away with three nuggets to bring to the Board's attention, which he believes they should act upon. The first one is there was a strong recommendation from the LGC personnel that there should be Deputy Health Officers in towns. The person that can be a Deputy Health Person does not have to be a town employee, he didn't believe. However, he thought it would be appropriate if that individual probably would turn out to be a member of the Board of Selectmen. The reason behind it is, whenever the Health Officer is gone, there is nobody who could issue an injunction or a cease and desist or whatever, if a health issue occurred. Chairman Jasper was puzzled by that because the Board of Selectmen is the Board of Health and, as such, they can issue such an order. Selectman Massey said but none of them are trained to be able to understand what you would need to do. He thinks it is something the Board, when they are doing the Community Development Department budget workshop, should consider whether or not that should be a specific function of one or more members of the Board of Selectmen, which means they would have to go through the training, etc.

The second was, in this day and age, he came away with a strong feeling that they should be reviewing their policies and procedures, with an eye towards to what the current employees know about them, when a change is made, are they required to attend a mandatory training program? Are they required to sign that they received, in particular, the personnel policy, etc? He thought that sometime in the fall, after they've gone through most of the budget cycle, that that would be a workshop item—a review of where they are relative to their practices for administration of policies and procedures. Chairman Jasper asked him to check a calendar and suggest a specific date. Selectman Massey said he would do that.

Thirdly, job descriptions. The departments have been working on them, but part of the workshops for each of the departments should include a report on where they are with updating their job descriptions. It was triggered in no small part by the fact that they were looking at a job description recently that was dated 1997, 10 years old. He's fairly certain that in 10 years, that particular job had changed.

Those were the three things he thought was worth the price of admission for that seminar; Selectman Maddox may have some additional comments.

September is fast approaching, so he requested that the Board, once again, set aside a memorial service on September 11 for the 2001 attacks and that they do the same thing they did last year, in terms of the ceremonies. He knows that the VFW and the American Legion are willing to participate, and he believed the Police and Fire were, too. He volunteered to coordinate the event. Selectman Maddox suggested having it at 6:00 p.m., prior to the Board's meeting, as they did last year. Selectman Robinson volunteered to help Selectman Massey with planning it.

Motion by Selectman Massey, seconded by Selectman Maddox, that the Board of Selectmen sponsor a memorial service for the victims of the 2001 attacks on Tuesday, September 11, 2007 at 6:00 p.m., carried 5-0.

Progress on the south end water tank is moving right along. The 12" water main is in. The base coat on Groves Farm Road has been laid down and they are pouring the concrete tank sections and it's being erected on schedule.

The Library Street/Central Street intersection signalization project will go to bid in the first part of July.

Selectman Maddox said last week, the Planning Board saw another 2 ½ hour presentation from Green Meadow, so as much as everybody though W/S was driving away, there is still an awful lot that's going to be happening in the future with that project, so they still need to be wary of all the things that are still going to be going on, as far as traffic, review, etc.

His other liaison (report) is one that has been dormant for awhile—Local Emergency Management. Chief Murray said they are looking to get that started again. There's a seminar next week that he is going to try to attend, if he can get some vacation time and see if they can get that back started. With all of the things they've seen lately, the floods, and who knows what other things. They should have something prepared. There's a number of good items on those agendas, so he will come back with some notes.

Selectman Robinson said the IT Department has identified the hardware for the scanning for Community Development. They have that out for bids and have narrowed the software down to two different selections. That's getting close because those monies need to be expended by the end of the month, so it looks like that will be done.

Recycling Committee—8,000 barrels are hitting the town over the next couple of days. They will be at the Highway Garage and will also be in one of the parking lots at one of the schools.

The Cable Committee, along with the Recycling Committee, have created a video that plays at 2:00 a.m., 10:00 a.m., 2:00 p.m. and at 7:30 p.m. He thanked Mike and Jim, who shot the video and Corcoran Environmental and Pinard Waste, who helped make the video.

Selectman Jasper said the continuing saga of Bensons—he hoped to have a “town position” document from the town attorney, but he is going on vacation. The state attorney has been in litigation, so nothing has happened, and nothing will happen for awhile. At this point, he is a little peeved.

Stop and Shop. A second letter has been sent to the state, but he has not heard anything back. He is trying to get that document done but, of course, since they've sat for several years, he can't be too upset with the state.

7-Eleven. The Town Engineer and the property manager have been playing telephone tag, as of Monday. The three proposals have been mailed to them. None of those things are moving along at lightening pace.

B. Hawkview Estates Conservation Easement

Andrew Prolman, an attorney with Prunier & Prolman, was recognized, saying he was representing Hawkview Estates. He distributed a handout of various views of the plans. As he was setting up, he commented that this was the best dressed board he has ever appeared before. He was before the Board, seeking its assistance with a conservation easement for the Hawkview Estates project, a residential project that has been slow in the making. One of the pieces of the puzzle for this project is who is going to be holding the conservation easement. The project goes from Hawkview Road and ends up on Bush Hill Road, with 55 residential lots. They have a long way to go and will appear before the Zoning Board before they go to the Planning Board. One of the criteria from DES, with respect to the dredge and fill permit that they have applied for, is that they want to know who is going to be holding the proposed conservation easement. Part of the project is a 27-acre conservation easement, which runs from Hawkview Road, with a series of hills and streams and wooded area that works its way down to access points on Speare Road. One-third of the area is approximately wet; seven or eight acres are considered jurisdictional wetlands, with the balance being uplands and woodlands. As he explained in his letter to Mr. Malizia, they are seeking a conditional approval of the conservation easement itself. The easement is in very draft form; it has been kicked around between his office and DES and the engineers. It's not in a condition to be presented formally to the town. The plan has yet to go before the Planning Board, so whatever the Board of Selectmen does tonight will, obviously, be conditional, upon Planning Board approval of the subdivision, whenever that may be. At this point, DES needs an answer of who is going to be holding the conservation easement. Hopefully, it will be the Town of Hudson. If not, it will be another conservation group. It makes sense that the town hold the conservation easement, as the town has done a good job with maintaining its various easements over time. If there are any enforcement issues with the conservation easement, it would be better that the town have that enforcement power than some third party, who the town may or may not have control over. There are a number of reasons why the town would want to accept this. He has provided the Conservation Commission's recommendation that the town accept the proposed conservation easement, and that's what he's looking for from the Board tonight.

Chairman Jasper referred to page 49, saying he was understanding the primary area that has the right of way coming into it is not going to have any houses on it; it's going to be common ownership. An association is going to be formed and they are going to own the bulk of it, and the easement is going to be transferred to the town or some other entity. Atty. Prolman said that was correct. Chairman Jasper said that makes sense to him, but the line goes across on to two individual house lots on Map 195, Lot 1-5 and 1-6, which are both right on Hawkview. It appears there is probably enough square footage that they meet the requirements, having two acres, unencumbered by wetland slopes, etc., but now they've got this conservation easement, most of which is held in common, but it goes over onto two house lots. He thought that created a bit of a strange situation. Atty. Prolman said not necessarily, but that was a good observation. The conservation easement would include the back portion of those proposed lots, but those folks would own those lots individually. The conservation easement area, outside of the proposed lots, would be the common ownership area. These folks would be buying a home that the back 2/3rds of their lot would be subject to the conservation easement.

Chairman Jasper said the conditions would be the same on all the rest of it, which looks like there is going to be a right for public passage for certain... and if those other two lots are big enough by themselves, why not subdivide this in such a way as there isn't a question of where the line is, so someone isn't ticked because somebody is walking on their lot. It doesn't seem to make a lot of sense to him, in looking at the grand scheme of things. It seems like it ought to be one way or the other. Atty. Prolman said that was a fair comment. The lots, themselves, are probably that size to meet the acreage and dimensional requirements, but that was a fair concern. He's not sure he'd want people walking in his back yard. It makes some sense, and he would propose that the conservation easement not include those portions of Lots 15 and 16. Chairman Jasper said they either not be included, or the lots ought to be further subdivided so they are free and clear from it because these people aren't going to have the use of that property, anyhow. They are going to hold title and pay taxes, but not be able to do anything with it, and they would have people on their property. For what they are doing, it doesn't make a lot of difference, but it's not using common sense, to him. In terms of the conservation easement, the Board of Selectmen is not going to be in charge of overseeing that it is adhered to, so he had questions for the Conservation Commission.

Selectman Massey was sure the Conservation Commission had valid reasons why they thought that was important to have that easement there, but there have been a couple of other subdivisions in town where the problem has been resolved by placing a fence, to fence in the pathway easement, so it's clearly delineated. That could be solved that way, but he would let the Conservation Commission respond to that. However, he did want to pick up with Atty. Prolman that when the Conservation Commission voted to recommend to the Board of Selectmen last year to accept this, they had several stipulations, and he wanted to understand if they are still going to be possible. The first one was whether or not they are going to be able to provide the foot crossings in the stream areas they had talked about last year. There was some concern at the time that the applicant didn't want to provide that ability. He asked Atty. Prolman if the town going to be able to, at its cost, erect those foot crossings, or the Planning Board might ask the applicant to do it, but the real key is if the town will be able to have the crossings. Atty. Prolman said yes. The intent of the proposal is that the conservation area be kept as is, in its passive state. If, along the way, this Board, or the Planning Board, says they would like some minor amenities in there that won't adversely affect the natural state of the conservation easement, that's fine.

Selectman Massey said it might be appropriate to ask the Conservation Commission for their comments because this is one of the major wetland areas in town and it does have some advantages to maintain it in its pristine state. Conservation Commission member Tim Quinn was recognized and he said, as background for this, they did walk this property twice and came to the conclusion it's probably the most desirable conservation land in town. It contains streams, boulders, beautiful terrain and a deep, six-acre pond, held by a beaver dam. They saw fish rising on the surface. The Conservation Commission would like four stipulations. One is to access that property and the stream bisects it. The only way to cross it is on slippery rocks, which is undesirable. There are two places they observed where a bridge, less than the width between the two desks (in the meeting room) be constructed with pressure-treated lumber. They also didn't like the parking access on Speare Road, which is a very narrow road. There is a safety issue with people opening doors and stepping out into the traffic. The beaver dam holds a six-acre pond together and it's beautifully constructed, but it needs to be inspected from time to time. Should that dam fail, there would be a great volume of water going down that stream, which goes all the way through the Hawkridge property and would flood all the homes that are on that path.

Chairman Jasper asked what they would do if the beaver dam started to deteriorate. Mr. Quinn said they'd have to go in behind the beaver dam and put in a construction dam to reinforce it, and there is room to do that because it is a very steep bank right where they built the dam, so it would be possible. The beavers are still active in the area and may outlive all of them and there may never be a problem with the dam, but they do need to be aware of it. Finally, there is no access from Hawkview Drive to that property, yet that's the better area for parking and accessing the property, as it is right now. It would relieve the number of cars parking on Speare Road, so providing an access for parking seems like a good idea. Chairman Jasper said those would be issues for the Planning Board when they are looking at the subdivision. Mr. Quinn agreed.

Chairman Jasper asked if the Conservation Commission felt this was an easement the town should hold, or if it should be held by some other entity. Mr. Quinn said this becomes a valuable property for the town so the townspeople can access it. If not, then he sees very little value to the town to just leave it there as a piece of property they would have to maintain, but the town would have no benefit in using. Chairman Jasper said, as the proposed easement is drafted at this time, there is public access allowed. The issue is if, in the Planning process, parking is provided so people aren't making a nuisance of themselves or putting themselves in harms way in the process. He asked if it was the Conservation Commission's recommendation that the town hold the easement, and not some other entity. Mr. Quinn said yes, and they've already had experience with the Ingersoll property, where they had a violation over there. He tried to find somebody who would rectify it, including the Londonderry police, who never did anything at all. There is no ownership of the easement. Chairman Jasper said that was owned by the Society. Mr. Quinn said they hold the fiduciary easement; the three towns, individually, hold the conservation easements on their properties. They were entering through the Londonderry side of the property and dumping on everybody's property. Chairman Jasper said, as the landowner, shouldn't the Forest Society take action? Mr. Quinn said the way the contract is written, it's up to "us" to take action. Kevin Burns helped stop the problem by putting in some boulders out there on the access way, which gave people two choices—run into the boulders or drown. It has worked very well.

Motion by Selectman Massey, seconded by Selectman Robinson, that the Board of Selectmen is in favor, on a conceptual basis, to the acceptance of a proposed conservation easement for a plan known as Hawkview Ridge, carried 4-0, with one abstention by Selectman Maddox.

Selectman Maddox said he abstained because this issue would be coming to the Planning Board. Selectman Massey said he'd recuse himself, if he is sitting as an alternate on the Planning Board when this comes before them.

C. Conservation Commission

Sandra Rumbaugh, Chairman of the Conservation Commission, and member Tim Quinn were recognized. She said they were there to talk about the prime wetlands study that is being initiated by the Commission. They were going to give a brief history of the process and will answer any questions and take comments or observations. Tim agreed to lead the selection committee and has agreed to be the liaison between the Conservation Commission and the vendor they selected.

Mr. Quinn said it has become increasingly obvious to them and other land use boards that protecting the water supply is becoming more and more critical, as the town is being developed. Nobody knows where the aquifers run in town, except for the study that was done on the circumferential highway, which was an eye-opener because everything flows to the Merrimack River. Probably some day they will have to take water out of the Merrimack River, like other communities have. The prime wetlands designation allows them to set a higher priority on certain wetlands because they are ecologically more significant than others, and it requires a study of those wetlands to see if they meet the criteria which are defined by the state. Three other communities have established prime wetlands in the last year, and two more are working on it this year, along with Hudson. Everyone is starting to realize the importance of protecting the water supply. They formed a sub-committee, with the approval of the Conservation Commission, to solicit from 15 potential vendors, a request to do a prime wetlands study. Two responded, and the sub-committee evaluated those. Jim Battis (Planning Board Chairman) also participated. They decided that VHB had the more superior proposal. They demonstrated they understood what Hudson was trying to do, and they also included suggestions not previously thought about. They also came in with a chart of what they were going to do, and when, with a number of sit-down, feedbacks with the town's land use boards, so that it wasn't a project where they just tossed the money over the wall and hope they get something at the end. They are going to be monitoring it throughout the contract.

Right now, VHB is in the process of writing the contract, at the Commission's request, which will be reviewed by the Town Attorney before it is issued. On Monday night, the Commission voted to expend the funds from its operating funds in the amount of \$38,750. There will be a presentation to the Board of Selectmen at interim periods, as they progress, so everyone will be informed as they go along. Chairman Jasper said it sounds like an important undertaking and one that, perhaps, should have been done some years ago, but better late than never.

Selectman Massey commended the Conservation Commission for the time they spent on this. It has been three to six months they've actually figured what they wanted to do. They sat down with the Town Engineer to work out the requirements for responding to the proposal. He commended everybody on the committee for doing it because this is a very important project.

Mr. Quinn said what they have to get in the end is a set of maps that can be overlaid on the GIS maps that will show all the prime wetland areas that have been selected and they also get the data in GIS-compatible format so it can be loaded directly into the GIS system. This will have to go to a town vote, hopefully, at the next town election. Right now, they are scheduled to have everything in by December 15.

Selectman Maddox asked if the Commission was working with anyone to have an ordinance drafted to protect the prime wetlands, if the voters accept them—that there be ordinances written that protect these. Mr. Quinn said yes, but he wasn't sure of the procedure, thinking they could do them in parallel. One of the things that will come out of this is the state requires more extended buffers than they have now, and many of the prime wetlands identified are within residential areas, on residential property. It's going to take some work for the people to understand their property isn't being taken away from them, but they are going to have their water supplies better protected.

Chairman Jasper didn't know if this has ever been done, but in terms of an ordinance, it's one thing to have one, but it's another thing to identify on the zoning map. He asked if there was a way to actually rezone to show areas in zoning that are delineated as wetlands. Mr. Quinn said the towns that have done it have come up with an overlay zoning for the prime wetlands area, so that sounds like the way to go.

Selectman Maddox asked, as a part of that, if the Commission would be coming to the Planning Board to kind of get the Planning Board started on the ordinance so it will be ready for next March, to start this moving. Ms. Rumbaugh asked when he suggested they do that. Selectman Maddox said probably at the August workshop—as soon as they can because it will take them months to see what's out there.

Chairman Jasper declared a recess at 8:40 p.m. The meeting resumed at 8:50 p.m.

D. Bid Recommendation--Replacement/Upgrade of HCTV Automation, Digital Signage and Video Server Equipment

Mike O'Keefe, Chairman of the Cable Committee, was recognized, saying this was to upgrade the equipment that is in place now that handles the automation of the playback, messaging and video server system. The current equipment has been there since day one, with a few minor upgrades over the years, and they've hit the limits of what they can do with that. The Cable Utility Committee included this project in this budget year. The new system is state of the art. The interface is all web based, which will make managing it a lot easier. There is an aspect to it that will allow emergency messaging. For instance, they can give access to the Fire Chief or Chief of Police to create emergency announcements, as long as they have access to a web browser. Those announcements would go on the system as soon as they are put in. Currently, they don't have that capability. They would end up with three separate messaging channels. Right now, the same bulletin board is on all three channels. The

goal is to establish more of an identity between the three channels—public, educational and government—so each one would have their own independent bulletin board. The educational channel will have strictly school announcements. They have specified a fourth channel of messaging, which they intend to put a display outside of the Town Clerk's Office, so the people who are standing in line will have messaging to watch to help pass the time, and that can be programmed independent of the other channels, which could include specific Town Hall information. A new aspect of the system is a video server, which is a piece of equipment, a bunch of hard drives, and all the programming gets stored on that, similar to TiVo-type technology, which gives that a lot of flexibility in terms of playback. They will be able to stream the material from that server over the internet for people to watch on their browsers, so that opens up the programming to non-cable subscribers. They have to work out some of the networking issues, so he has begun to speak with Lisa Nute about expanding that capability. They investigated a number of options and the committee settled on this option. It is also a system that is in place in a number of other communities, such as Londonderry, Bedford and Derry, and they are all very happy with it.

Selectman Maddox asked if they didn't take the optional upgrade, the bid from Tightrope Media. Mr. Malizia said that was one of the losing bids. Mr. O'Keefe said only two bids were submitted. They solicited bids from the four vendors who supply this in the northeast area, as well as directly from the manufacturer. Selectman Maddox said they were talking about on demand video streaming over the internet, and asked if they go out through the existing in-house server. Mr. O'Keefe said they are kind of independent of the town's networking; they have their own cable modem and don't actually stream anything out today, but they use it to access the system remotely. He has begun discussions with Lisa Nute to see if they should combine, because she is looking at upgrading networking within Town Hall and she is investigating the options to give them greater band width out of the building so they can stream. The actual servers would be theirs. What they are buying are the servers that would be streaming the video. It wouldn't be put on the town's servers.

Selectman Robinson asked if the town would be saving \$6,000 - \$9,000 by the committee installing it themselves. Mr. O'Keefe said when they put the bid out, it was with the intention of them installing it, probably the facilitator and him, with possibly a few others. They saved a good bit on that end.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to award the replacement/upgrade of HCTV automation, digital signage and video server equipment in the amount of \$35,990, plus shipping and handling, to UnivisionsCrimson Group, the lowest bidder in compliance with the specifications, as recommended by the Cable Committee and the Finance Director, carried 5-0.

Selectman Maddox said June 30th was rapidly approaching and he wondered if the Board was going to be seeing something for the facilitator. Mr. O'Keefe said it was on the agenda for the Cable Utility meeting next week, so it would be on the Board's June 26th agenda.

E. GFWC Hudson Community Club/GFWC Hudson Junior Woman's Club Planters

Linda Kipnes said she noticed that there are already beautiful plantings underneath the new sign at the Veterans' Memorial Bridge, so she withdrew that part of her request. She didn't know how many they would be putting out because they were just going to be asking members to contribute either a barrel or some plants. Chairman Jasper recalled that Pat Hetzer was responsible for one or two barrels. Ms. Kipnes said the town used to have barrels, but the DPW doesn't do it any more, so she thought that if they were able to put out a few, it would look better. The more they get, the more they will put out.

Selectman Robinson extended a huge thank you for what they are doing. Selectman Massey said he would, too. He was wondering what happened to the barrels. Ms. Kipnes said the Highway Department used to supply the barrels and the clubs would do the plantings. Mr. Malizia thought the bottoms probably rotted out of the barrels. Ms. Kipnes said someone would be watering the flowers throughout the summer.

Motion by Selectman Robinson, seconded by Selectman Nadeau, to grant permission to the GFWC Hudson Community Club and the GFWC Hudson Junior Woman's Club to place planters and plants at various locations around town and further, this effort shall be coordinated with the Road Agent, or his designee, prior to the placement of the planters, carried 5-0.

F. Voluntary Energy Committee

Linda Kipnes said this was approved by the voters via Article 29. They want to for a committee that will investigate ways for the town and townspeople to save money on energy, to help with air quality, water quality, or whatever they can do. She proposed a committee of volunteers, with some participation from town staff, some environmental experts and volunteers from the town. Angie Vincent of NRPC told her there are other towns that have formed such a committee. Nashua has one, and Angie gave her a lot of information from that committee. There may be money available to do an energy audit of town buildings, which might be a good place to start and a way for the committee to get going, to make themselves known to the public. Chairman Jasper said there seems to be conflict between what she was suggesting in the cover letter and the proposed membership in the bylaws was suggesting. The by-laws does not include town staff, it is all community residents. No one would be paid. Linda said she wasn't thinking of town staff participating as members of the committee, but if they wanted to do an energy audit of town buildings, they need some cooperating from staff. If they want to do other investigations, or if other things are happening, they might need some participation by town staff, either the engineer for his professional knowledge or permission to do something in town hall, etc. Chairman Jasper said he was not in favor of assigning a liaison as someone who would have additional duties of going to another nightly meeting. Town staff should cooperate if a committee has a meeting during regular business hours and has questions or concerns. It would be appropriate to work through Steve to coordinate that type of activity.

Selectman Maddox said this would have been a great project for the Administrative Assistant in the Community Development Department, a one or two year project, something that would benefit the town. That's the kind of thing that person would be able to do. He didn't know who they could assign to deal with energy. When he looked at this, he thought that would be something the Administrative Assistant could assist with; he didn't want to tie up the Town Engineer with another thing, at this point. He didn't know how he gets what he does done. It's a great idea. He said all along it's a shame they didn't tie in with the School Board and do something with the contract they did. Ms. Kipnes said they intend to find out what the school did and maybe build on that, or work with whomever they worked with. Selectman Maddox said volunteers were better than nothing, so he guessed he would support this.

Selectman Massey thought this was a great idea, but was concerned because they seem to be having problems getting people to serve on the existing boards, so he questioned if they would be able to find seven people for this committee. Mr. Kipnes said she already had two volunteers. Maybe seven is more than they will ever get; maybe five is better. She didn't know. Selectman Massey thought it would be more successful with five. Energy conservation is definitely going to become a critical watch word. The Japanese are so far out in front of the rest of the world in energy conversation, it is mind boggling. They have people picking up scraps off the streets in order to recycle, which is another form of energy conservation. You don't need to generate a machine to create another piece of paper.

Selectman Robinson said with a committee of five, she'd leave the gate with a quorum already, since she already had three. Ms. Kipnes said they'd like to start this right away because grant money was available to do the energy audit. She sees two ways they are going to go. One way is energy savings within the official town and energy savings in getting information to people for what they can do in their houses, cars, etc. to save energy.

Selectman Maddox said maybe they can have five members with two alternates. This was discussed at that awareness that was held at Town Hall by NRPC the other night. There are grants roaming around right now, and one thing that was suggested was that Old Home Days, they are selling energy-reducing light bulbs. If the town is able to buy them in bulk, they can transfer that savings to the citizens, and who knows what that savings would be, but it would give people an incentive. It's not just shutting down or building a plant. It is all of the doing a small piece that is going to make a big difference, as opposed to one big effort by the town. It's really the citizens, and that's where they probably want to be going. Maybe they could wrangle someone from the Cable Committee to be a part of this group, which is a great resource for being able to transmit that information.

Chairman Jasper wondered if the structure needed to be quite so formal, as proposed. Maybe they would get better participation if it was run more like a club, and whoever wanted to show up could. They could elect three officers and everyone else could come and go, as they wanted to. Ms. Kipnes said that was fine with her. Some of this came from her experience trying to start the Open Space Committee, discussing how many members there would be and how it would be organized. She wanted to indicate, with this group, she had some sort of structure in mind. Chairman Jasper said the Board does a formal interview process, and maybe people wouldn't get involved because of that; they didn't want to be on TV, being interviewed by five guys in suits. He thought it might be more appropriate to authorize the committee, on behalf of the town, to appoint Linda as the chair and authorize her to do as she has already suggested. They could use the Selectmen's meeting room, or any other space that was available, to form a committee in whatever way they feel is appropriate. Ms. Kipnes asked if it would be possible to advertise the way the Board does. Chairman Jasper thought it would be better to stay away from a formal application process, but they could put an announcement in the paper. Ms. Kipnes said she could always write a Letter to the Editor. Chairman Jasper said it could also go on cable, and the HLN would probably put an item in. He preferred using the informal process, which might generate a greater level of participation. People won't feel obligated to attend every meeting.

Selectman Maddox disagreed with the Chairman. He thought this was going to have to be taken as a town-supported group. They need to be interviewed and put on this committee, especially if they are going to be requesting funds. They need to know who is on the group and have them on television once. It's a little inconvenient, but the Board members are pretty easy, especially if they are volunteering to save energy. At the very least, they have made the effort by filling out the form.

Motion by Selectman Massey, seconded by Selectman Nadeau, to authorize the Board of Selectmen to create a five-member committee to provide energy-related activities for the town, to appoint Linda Kipnes as the initial member of the committee, and to advertise for four other members; further that members shall serve two year terms, three to expire on December 31, 2008 and two to expire 12/31/07.

Selectman Massey said Linda's term would end December 31, 2008. Chairman Jasper indicated that, initially, the terms would be shorter than two years. Selectman Robinson said since the Board already advertises for positions, they could just include this one, too.

Vote: Motion carried 5-0.

G. Recycling at Municipal Buildings

Motion by Selectman Robinson, seconded by Selectman Nadeau, that all municipal buildings will participate in the town's recycling program and that appropriate recycling receptacles will be placed in all municipal buildings to assist in this effort, carried 5-0.

Selectman Massey said it's about time. Selectman Robinson said he and Kevin Burns have spoken and he will be willing to go to any town building to work with the employees to explain how the program works.

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

Selectman Nadeau did not have any items.

Selectman Massey said it just occurred to him, and since Selectman Maddox indicated the Local Emergency Management operation is re-engaging, about a month ago, there was a case of a young girl that was missing over on Spit Brook Road and they put out a reverse nine-eleven call. Much to his surprise, he got that call, so it tells him that reverse nine-eleven is... and for those who are wondering what reverse nine-eleven is, in an emergency, the police or the fire can call the affected sectors by, instead of you calling nine-eleven, nine-eleven is calling you, so if he could add that to their processes, looking how it could be implemented in town because, in fact, he shouldn't have gotten a call. He was surprised when he did, but there is the ability to do it.

Secondly, one of the things he learned at the workshop on Saturday is the issue of members on multiple boards where they are in a voting mode, the recommendation from the attorneys were that you should pick and choose; you shouldn't be voting on an item on two different boards. As an example, the recommendation is for the Board of Selectmen member that is sitting on the Planning Board, they need to decide, at some point, whether they are going to be voting on an issue as a Selectman or voting as a Planning Board member, but they shouldn't vote for both of them. That's the reason why he said tonight that because he initiated the motion for the conservation land, he would recuse himself from the discussions at the Planning Board on that particular item. The issue wasn't so much you shouldn't be there, it's that you have to make the decision as to which one of those roles you want to play, so there is no conflict relative to the final decisions.

Finally, he didn't know how they were going to do this. They probably need to talk to the police, and he will do that in his role as liaison, and they should also talk to the Highway Department. It was one of the items on the agenda last night at the Conservation Commission. There appears there is significant dumping occurring on property in town. One of the items they talked about was there were 30 cubicle panels that were dumped in one location. A truck backed up, they dumped it and were gone. Several Commission members, and he thanked them for this, went to the town forest one day and pulled two truck loads of trash out. Given they are embarking on a new trash program, for the first several months, they need to be a little vigilant on people who are taking advantage of the system and dumping where they shouldn't be dumping. To that end, they might want to consider an ordinance on illegal dumping. Several people indicated the town already has one. Selectman Massey said it's hard to enforce because they have to catch the individual. When he heard that 30 panels had been dropped, it was an eye-opener. That's a large amount of material being dumped.

Selectman Maddox said he understood the training a little differently (than Selectman Massey). He thought it was only when you were going to appeal yourself, if they were going to be judging something the Planning Board, if they were going to appeal the Planning Board's decision, the member should step down. They need to work that out; it's something they need to look more closely at. He took from it to mean if they didn't like what the Planning Board voted, he couldn't vote to appeal, or that kind of thing. They need to take a look at that.

The list of pending things in their bins is getting longer and longer. One of the things they wanted to get done was Riverwalk; not Green Meadows, but the river walk that Ms. Stewart tried to get done. It dates back to 2005. He asked if they had any idea of where that was going. They were waiting for poison ivy season to be over, and any number of things. This was to design something so they could look for grants, the next boy scout that came along, or whatever. It's on their list of things to do. Again, people don't realize how lucky they are having the river as a border. It's a great place to visit. The park they have behind the American Legion, Merrill Park, is a shame of what it has become. They should probably look at that at some point. Riverwalk is still on their agenda, awaiting action by town staff. He hoped they would follow up on that. It's really something that should be continued. He asked the Town Administrator to look at that and come back with something in the near future. Selectman Massey said his understanding was the Community Development Director was supposed to be coming back with a plan. Selectman Maddox said that was the last thing on there from 2005. Chairman Jasper said then they need to follow up with him to report back to the Board, post haste.

Selectman Maddox said he spent two Saturdays, and the other one was talking about the Right to Know Law, something the Legislature is trying to work on, to do whatever they are going to do with that. One of the things he took away from that is, no matter what you do, there's always going to be problems. They always want to keep the citizens informed, but it's tough to try to figure out a method to make everything work accordingly. Hopefully, that ordinance they put in, where even if they saw each other on the street, they couldn't talk. That's more of a three-Selectman board, where there is now a majority of the board, if two people are talking. They don't particularly have that, but it's certainly a concern. One of the things he's going to take away from tonight, he started with, if you e-mail him, and you expect an e-mail back, a copy would go to Priscilla, and he doesn't send a lot of e-mails back. Most of the time he doesn't send anything back, but he is going to take the tack of now any e-mail he sends back out again, he's going to copy the HLN and the Telegraph, so there is no doubt that it's in the public realm. They talked extensively at the workshop about how e-mail becomes insidious, inasmuch as it wasn't originally meant to be a discussion, but it becomes one, as one Selectman sends something out, and one sends something back, and now there is a discussion going on, and by the end, every member has put something into the e-mail train, and it's not trackable, at this point. He is hoping, at some point, they are going to get on the seresc server, or off of there, so they have their own, so there is a way of tracking that, but that could be a year, at the rate things are going, so the Board needs to decide, with some input from the liaison to the Legislature, how they go about doing a better job of maintaining that Right to Know law, as it applies to electronic (mail). His answer is to send copies to the newspapers. People send him stuff and he mostly doesn't send it out. To a citizen, yes, but not to another Board member. They don't want to get into that.

Chairman Jasper said he meant to bring this up earlier. The Senate amended it, very much like the version he was successful in killing in the House. Sequential conversations, whether it be over the phone, in person or by e-mail outside of a meeting would be prohibited, even if they were only... they've amended it to say that if they need to meet, they have the ability to ask if someone can make a meeting tomorrow night, or do purely administrative things, like "you need to sign this paper," but they have amended it such that he couldn't say, "would you guys take a ride over and look at Barretts Hill Road because we need to do something about that." He talked to the Chairman of the Judiciary Committee. He's not on that committee and, normally, the only people that make it on a Committee of Conference are people on the committee, but since all of them were initially opposed to the final House version, he believes he is going to end up on the Committee of Conference. He pledged he does not want to kill this. The whole thing started five years ago with the Right to Know Commission, which everyone who knows much about it has told him it's a dysfunctional group. They were supposed to deal with electronic mail and, apparently, they've gotten themselves so tied up in knots, they just decided they couldn't deal with that, so they will just stop everybody from talking to each other, or communicating with each other, and that solves their problem, not realizing what it does to running of communities, in particular. He is sure it is problematic for boards and commissions, but for a Board of Selectmen or Town Council, it can be a real problem. If the Selectmen communicate amongst themselves, copy Town Hall, it becomes part of the public record. They've got to be careful because, quite often, they get confidential information from the Chiefs, particularly, but if they don't respond, that's probably not a problem, or if they respond directly to the Chief. He is going to see representatives of the Municipal Association tomorrow at session and ask them to come up with a draft covering e-mail so they can make it part of the record. He feels very strongly they shouldn't be making decisions outside of this meeting, but they absolutely have to keep each other informed of what's going on in the departments and in the town, in general.

Selectman Maddox said they may need to make a decision here and there, from time to time. There are things that need to be done. Chairman Jasper said sometimes, there isn't time to call a meeting, and they have to get a consensus on things. They can authorize Steve to take certain action, but he needs to know the Board is behind what's going on. It's a sticky wicket and those who are not directly involved in municipal government sometimes just don't understand what goes on on a day to day basis. Hopefully, he will be able to keep that from going too far astray and, at least, turn himself into a frequent law-breaker.

Selectman Maddox said in whatever form Green Meadow continues forward, they asked VHB to be looking at the former circumferential land, as part of a solution, downstream, at some point. To that end, they had the representatives in. Someone that wasn't here that night, but obviously has the ability to assist Hudson, would be the Senator. He asked that the Senator be invited to a future meeting to, hopefully, put forward to him the Board's desire to obtain the use of that land for a roadway. Chairman Jasper asked if it would be acceptable to Selectman Maddox if they draft a letter, informing him of that, sending him the meeting schedule for the next couple of months, and ask him to choose a convenient date. Selectman Maddox thought that was a good idea. Just as Selectman/Representative Jasper is doing his side at the House, from what everyone is telling him, the other members of the delegation are also trying to help with this. The Senate, as they've seen, can go either way with any number of these items. Their Senator needs to know the Board's issue is really getting the ability to build something. What it may be, who knows? But don't lose the ability to get it and, hopefully, get something built on it.

Selectman Robinson said he had a couple of remarks on the Administrative Assistant position in Community Development. He fully respects everybody who works in that office, all of the duties and responsibilities and the objective of what that office is doing, but he has strong feelings of what went on this evening with the changing of the Secretary's position to the Administrative Assistant/Planner. Two years ago, the voters in the town of Hudson voted down this position in the town and while, yes, the Selectmen have the ability to change positions, they do not have the ability to add positions. Those positions need to go to the voters, and it's the voters' decision. They took a \$35,000 job and bumped it to \$51,000, which will add about \$14 to a home that's valued at \$260,000. Chairman Jasper said that math was not correct; it would be more like 14¢. Selectman Robinson said it's just adding more dollars to the tax base. That's the bottom line here. He doesn't think that's the correct thing for them to do, but it's done. Chairman Jasper said no, they did not. Selectman Robinson said they voted to change Secretary to Administrative Assistant. Chairman Jasper said no, sir. There was no 2nd to the motion to do that. They approved a new job description for an existing, empty position. That's as far as they went. Selectman Robinson said he was of the opinion that empty position, which was a secretary's position, should have been filled eight weeks ago, when the person left the office, with a secretary. Chairman Jasper said that's what's going to happen because the motion was made, there was no second. The motion to authorize the advertising of it failed. Steve took the direction to advertise for the secretarial position.

Selectman Robinson said a little pug dog, Sally, was lost on May 30. Her picture was plastered all over Hudson and was on HCTV. It was every place he went. Sally, gone for 53 hours, has been found and is home, safe and sound. He has a thing for pug dogs. Sally belongs to a family that rescues pugs. The owners wanted him to thank everyone who helped look for Sally.

Selectman Jasper said Senate Bill 88, the bill the Board discussed last week, was tabled, then came off the table again, and then was tabled again because they couldn't do what they were trying to do, which was to eliminate the evergreen clause because they'd already turned that down earlier. From the House's position, it is dead. However, strange things happen in Committees of Conference and it is possible someone will attempt to put some or part of that on a Committee of Conference someplace, so he will be vigilant in watching for that. He asked the Municipal Association if they would write a 28-A brief of that—the constitutional article, which prohibits the state from passing on any new legislation that would cost any governmental agency any money.

This morning, Chairman Alukonis of the School Board and he had breakfast together, and they talked about issues. The School Board is doing a lot of good things in terms of long-range planning. They had a good year this year, financially, in terms of savings and staff and health costs because of some of those savings, and they are in the process of doing a lot of master planning and some repairs to buildings. They are trying to figure out exactly where they are going with that whole complex over there and what they need to do to meet their needs. They are ever-mindful the town has needs and perhaps they can work together, keeping in mind the five acres at

Alvirne that was turned down as a library site. Hopefully, he and Dave will continue to have breakfast and talk on a regular basis and try to find areas they can continue to work together. When they were leaving, he said to Dave, "I wonder when the last time the Chairman of the School Board and the Chairman of the Board of Selectmen sat down and had breakfast," and he said, "I wonder when the last time was the Chairman of the Board of Selectmen and School Board have known each other for 30 years." That helps; he thinks they are at a good place, as they are doing some good things for the citizens of Hudson, as well. They talked about kindergarten because it looks like the state is going to define an adequate education as including kindergarten. Yet to be decided is whether or not that will be a full day or a half day. They talked about the options there because they both agree that it becomes totally a state obligation. The town will not need to spend one dime to accomplish that adequacy, since Hudson does not have a kindergarten now. It's going to be a very interesting process.

10. NONPUBLIC SESSION

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

Chairman Jasper announced that Nonpublic Session was being entered at 9:38 p.m., thus concluding the televised portion of the meeting. Any votes taken upon exiting Nonpublic Session would be listed on the Board's June 26 agenda.

Open Session Votes:

Motion by Selectman Robinson, seconded by Selectman Maddox, to hire Alicia Stott in the Recreation Department as Substitute Counselor/Robinson Pond gate person at \$8.50 per hour for the 2007 summer season, effective June 17, 2007, carried 5-0.

Motion by Selectman Robinson, seconded by Selectman Massey, to upgrade Amy McMullen's part-time position in the Assessing Department from Secretary to Administrative Aide, effective June 17, 2007, carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Robinson, to hire Danielle Dubowik and Gregory Rich as firefighters, in accordance with IAFF Local 3154, at an hourly rate of \$14.16 per hour, effective July 1, 2007, carried 5-0.

11. ADJOURNMENT

Motion by Selectman Robinson, seconded by Selectman Maddox, to adjourn at 9:56 p.m., carried 4-1. Selectman Massey voted in opposition.

Recorded 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