

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

1. **CALL TO ORDER** by Chairman Rick Maddox at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. **PLEDGE OF ALLEGIANCE** led by Selectman Kathleen MacLean.
3. **ATTENDANCE**
Selectmen: Richard J. Maddox, Shawn N. Jasper, Kathleen R. MacLean, Kenneth J. Massey and Benjamin J. Nadeau
Staff/Others: Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant (arrived 8:00); Sean Sullivan Director of Community Development; Richard Gendron, Chief of Police; Doug Robinson, Norman Martin and Howard Dilworth, Jr.
4. **PUBLIC INPUT**
No one responded when Chairman Maddox asked if anyone in the audience wished to address the Board on any subject.
5. **NOMINATIONS & APPOINTMENTS**

CTAP
Recreation Committee Member -- Timothy Boland.
The CTAP subcommittee will meet on Thursday, March 15 at 7:00 p.m. in the Community Development Meeting Room.
6. **CONSENT ITEMS**
Selectman Jasper removed A-4 (Verizon) for separate consideration.

Motion to receive the consent items A (1-3), B, C & D by Selectman MacLean, seconded by Selectman Jasper, carried 5-0.

A. Assessing Items

- 1) Credit/Exemptions—Veterans (12 Winnhaven, 38 Bush Hill, 8 Steele, 165 Greeley, 46 Gowing, 6 Glasgow) Disabled (2 Village Lane) Elderly (22 Oliver, 32 Ferry, 15 Robin), w/ recommendation to grant.
- 2) 2006 Abatement--recommendation to issue a notice of default for 189 Central St.
- 3) Current Use Penalty, 8 Copper Hill, w/recommendation to approve.

4) Supplemental 2006 Tax Bill, Map 100/Lot 10, Verizon, Inc., w/recommendation to approve.

Selectman Jasper said he was surprised to see this item on the agenda. The town is proposing to send Verizon a tax bill for the use of the right of way of \$123,058.94. If the Selectmen decides this is the right amount and what they are going to do, they also need to be doing it for every other utility that uses the right of way. That was one of the issues that was decided in the Rochester case, which he didn't think would be overturned, but they got the gas company using it, the electric company using it, and they are taxed on their physical structure but not the use of the right of way. The cable company pays a franchise fee, but they don't pay a tax bill. He filed a bill which would have said no, you are not going to tax for the use of the right of way. He was hoping to actually get a dialogue going to talk about having a uniform methodology, if the legislature didn't want to say no. The legislature said it wasn't going to deal with it right now. Concord said they already included that in the gas company, so when representatives from Verizon went to see the assessment card, there was no assessment for land. You can't include that in there, under NH assessments. You have a line for buildings, you have a line for land and you can't combine them because how can you appeal that assessment? Every utility that is being assessed right now is looking at their total assessment. Tennessee Gas Pipeline Co. vs. Town of Hudson is cited in the Rochester decision. The town fought that for years, but they're not assessing them on the land, per se. So, the town is not sending out bills to everybody else, which is problematic.

The methodology shows an average land cost per acre in Hudson in the right of way of \$78,020. That's about \$770 million for total land value in the town of Hudson, which on 10,000 acres comes out to about that—but they need to be real about that. Every acre of land in the town of Hudson is not assessed at \$78,000. House lots are assessed at a lot more than that, but if you have more than one acre, and it's not improved, it's not taxed at that same rate. Moreover, what is the purpose of a right of way? It's to put a road on and they assume a right of way of 50' even though the town doesn't physically own all of the right of way in town, they are assuming they have this right of way and the courts have said that's OK; the town can assess that even though they don't own it. He scratches his head about that, but that's not the only court decision he's scratching his head about. Could the town go out and sell the right of way to anybody? Maybe they ought to do that, if the can get \$78,000 per acre. Nobody is going to bid on the right of way. It doesn't have a market value of \$78,000. It doesn't really have a market value. Verizon can't go out and sell their use of the right of way to anybody else; the town licenses it.

Selectman Jasper had a copy of the recent court case that came down from Rockingham, dated 11/21/06, which is under appeal. He has no problem with sending out the tax bill and the representative from Verizon said to him that if somebody sends out a tax bill that's reasonable, based on the court case, they will pay the assessment because they believe that they do have some liability to pay taxes; they don't have a problem with that. That means everybody gets a tax bill and that it is reasonable. In Rochester, the court came up with a value of the land of \$6,561,000—not totally dissimilar to what Hudson came up with, or at least close enough for government work, which is the total fair market value of the public ways that Verizon uses and occupies.

However, this value far overstates the actual fair market value of Verizon's use and occupation. First, it assumes that Verizon has fee simple ownership of this area and, second, that Verizon does not share the corridor with anyone else. Neither is true. Verizon possesses only licenses or permits for its poles, wires, buried cable and conduits. These licenses are temporary, with a term of one year. Moreover, a license holder is prohibited from ever acquiring any interest in the land because the primary use and purpose of roads and streets is viatic, Verizon must erect new poles so that they will not interfere with the safe, free and convenient use for public travel of the highway. Finally, replacement poles cannot be located within 20' from the surfaced edge or edge of public easement without a waiver.

Selectman Jasper said he could go on and on, but he won't tonight. He asked that each Board member be provided with a copy of the decision so everyone could read it for themselves. He is upset that this is here in this format. Verizon's interest in Rochester was determined out of that \$6 million, which is comparable to Hudson's, to be \$218,700—what the court said they could assess Verizon, so Hudson could be assessing at about \$300,000, about the average assessment of a house in the town. That's the problem George SanSoucy knows what the court case said. Certainly, the town's Assistant Assessor knows what the court case said. This assessment flies in the face of the court case. They should do one of two things. Send out a bill that complies with the court case, or wait for the appeal, but not send out a bill that assumes the bill is going to win, and that's what is being done in this case. They've ignored the law, as it stands right now. The last bill that was sent out to Verizon was actually zero.

Selectman Jasper moved to not sign the supplemental tax abatement, seconded by Selectman Massey.

Selectman MacLean remembered they have sent out bills like this before, at least one time. The memo from the Assistant Assessor indicates they are still waiting for final resolution. Does he mean the appeal, or is he mixed up? Selectman Jasper said it refers to the appeal. They've sent out bills before and the representative from Verizon mentioned to him the last bill they got was zero, and that's fine, but this assessment is problematic in other ways, as well. First of all, it says 200 miles of roadway. The Road Agent says there are 190 miles of roadway. There is a lot of state roadway in town, but more than 10 miles. This number seems to be nice and round. How would you like to get an assessment on your house that's \$320,000 and get a bill for \$350,000? Assessments need to be based on reality, not a best guess like this one appears to be.

Selectman MacLean said it indicates they will most likely not pay the bill because they are waiting for that. Apparently, they haven't paid any of the bills that have been sent to them. She wasn't aware of any harm doing this because they would get the bill and know that there will be some payment due, whether it's this or whatever it is once it is resolved by the Rochester court case. She'd rather send them a bill for something other than zero. Selectman Jasper said the only reason he was disagreeing at this point is because they now have a court case to give them guidance, and that is his problem. The bills went out. This is supplemental. He didn't know why because the tax bills went out in November. Mr. Malizia said it was kept supplemental for a reason, to keep it out of the main bill—and he is not aware they ever sent out a zero bill. Chairman Maddox said that would have been their last year's tax bill, and then the supplemental was done on top of that. Selectman Jasper said this is a well-reasoned court case and when they send out a bill, they have the law in front of them, and they ought to be following it. He didn't know what Rochester's appeal was based on, but this is a very well-reasoned opinion.

Selectman Massey said rather than do something crazy tonight, they ought to defer this and have the Assessor come to the next meeting. They are not saying that Verizon is taking up the whole right of way. From every mile, they are taking .37 acres and the acreage they are taking up out of the total acreage of the town is only 74 acres, and they are taking that times the value. That's how they get to the \$5 million. On that basis, the prudent course tonight would be to defer action until the 27th of March and ask the Assessor for a little more information and it would also give the Board time to read the court case. Selectman Jasper withdrew his motion. Chairman Maddox said it should be deferred to the April workshop. Mr. Malizia said it has to be by April 1. Chairman Maddox said they should ask the gentleman who did the study how they get from Point A to Point B. Selectman Massey said they could have Mr. Michaud provide the data or have Mr. SanSoucy attend the meeting. Either way, the next meeting is the appropriate time to do it. Chairman Maddox said he'd like to get more facts before they submit a bill based on a house lot. He'd pay that bill in a heartbeat. Selectman Jasper said no, that's the tax bill. Selectman Massey said the \$123,000 is the tax bill. (Talking over each other.) Chairman Maddox said they should get the information they need and since it has been appealed, do they really want to jump on to that band wagon until they know where it is going to go? Yes, there is a court case, and if it is appealed and overturned, are they taking 10 cents on the dollar? Selectman Massey said they've heard all along is to continue to assess them as a supplemental thing. If the court rules in favor of Verizon, then the taxes that were assessed would either be changed or they would be deleted and if the court ruled in favor of Rochester, then by extension all the others because Hudson is a party to that, they would most probably, at that point, then get into an argument with the assessment, not the fact that they owe the money. Chairman Maddox said they should check into what other utilities there are because he thought Verizon paid for the poles because the other utilities—cable, electric—all went off their poles.

Selectman Jasper said the interesting thing is the legislature set a tax policy and essentially said, in Verizon's case, the state is assessing a 5% surcharge, or whatever you want to call it. That money all goes to the state. The town isn't getting anything. That's what precipitated this. In the case of the poles and conduits, the legislature said the town can tax the physical structures, and that's what they've done. With Tennessee Gas Lines, they taxed the pipe in the ground. If they had a private water company, which they did at one time, they taxed the pipe in the ground. Now, Rochester has turned things on its heels. It's an interesting concept, but this is the only state in the entire nation that would be taxing the right of way for use. You can take the argument a step further and say, well, shouldn't UPS and all those courier companies/delivery companies be paying a fee to the towns because they use the right of way. Where does it stop? Selectman Massey said they pay gas tax. Selectman Jasper said not to the town. They are actually conducting their business within the right of way, because every time they stop their truck, they don't generally pull into a driveway; they stop on the side of the road, using the right of way to conduct their business. That's an argument that's been made. He's not saying he buys into that, but he didn't think there was any difference. All the legislature says is they can't tax the poles and wires that belong to Verizon. The legislature is doing that. If they are going to tax the land, you have to tax the land for everybody and he strongly objects to the town not sending a bill to the gas company, to the electric company and to the cable company because everybody is using that same 10' corridor, so everybody ought to be assessed the same, at least to the degree they have utilities on, over or under the ground, and they're not doing that because that's what Rochester was trying to get at. The court makes it very clear you can't just pick and choose one, if you are going after the land value. If you look at the right of ways for public service, the big transmission lines, he didn't know how that was taxed. The underlying landowner paying? Should they do something out there? He didn't know. There are a lot of questions, but this is a very well-reasoned argument and they ought to be following this and not pie-in-the-sky. All Rochester has ever been is pie-in-the-sky and the bottom line, even if they followed the \$23,000 which is 5 cents on the tax rate—and he was on Ways and Means and they went through this with the bill that came up before—the PUC has already said if the new tax bill comes out, whether it's from the legislature or the utilities or the municipalities, it can be added right on. They don't have to go back for a rate case. They can just pass it right on, so 5 cents on the tax rate, the problem is where the value is, a lot of their value is in land, commercial buildings. You may think you're getting 5 cents on this end, so maybe you'll only pay X on the other end, chances are each and every residential user will receive a bill from Verizon that will be substantially greater than any potential benefit they'll get on the reduction on their property tax, and that's one of his big problems. This is going to cost the average consumer money if they were ever successful at billing everybody \$123,000 or whatever it was. He understands the principle, and he's OK with the principle if they want to assess a reasonable amount. It doesn't make a lot of sense, but there is a rational argument to be made, and fair is fair.

Motion by Selectman Jasper, seconded by Selectman Massey, to defer until March 27 carried 5-0.

B. Water/Sewer Items

Acceptance of Water Main, Village @ Lockwood Place, as recommended by the Water Utility Committee.

C. Acceptance of Minutes

Minutes of the February 13, 2007 Board of Selectmen's Meeting

Minutes of the February 27, 2007 Board of Selectmen's Meeting

D. Calendar

3/13 7:00 am – 8:00 pm, Voting at Community Center

3/14 7:00 Planning Board in CD Mtg Rm

3/15 7:30 Budget Committee in BOS Mtg Rm

3/18 5:00 Chamber Dinner @ Castleton in Windham

3/19 6:30 School Board in BOS Mtg Rm

3/20 Blood Drive at Hudson Community Center

3/20 7:00 Cable Committee in BOS Mtg Rm

3/21 5:00 Water Utility Committee in BOS Mtg Rm

3/21 7:00 Library Trustees in BOS Mtg Rm

3/21 7:00 Hudson Senior Council on Aging in CD Mtg Rm

3/22 7:00 Open Space Committee in BOS Mtg Rm

3/22 7:30 ZBA in CD Mtg Rm

3/23 11:00 Trustees of the Trust Funds in BOS Mtg Rm

3/27 7:00 Board of Selectmen in BOS Mtg Rm

3/28 7:00 Planning Board in CD Mtg Rm

7. OLD BUSINESS

Votes taken after Nonpublic Session on February 27, 2007

Motion by Selectman Jasper, seconded by Selectman MacLean, to hire George Lielasus as part-time Appraisal Technician (29½ hours) in the Assessing Dept, at \$16.45/hour, effective March 11, 2007, in accordance with Step 1 of the AFSCME Local 1801 Admin & Support Staff contract, as recommended by the Assistant Assessor, carried 5-0.

Motion by Selectman Jasper, seconded by Selectman MacLean, to temporarily extend the hours of Amy McMullen from 29.5 per week, up to 40 hours per week, through June 2, 2007 and further to approve a temporary position reassignment to Administrative Aide and a salary increase, from part-time secretary, Step 4 at \$15.01 per hour to Step 2 Admin Aide at \$15.33 per hour, through June 2, 2007, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman MacLean, to upgrade the position of Secretary to Administrative Aide in the Fire Department, currently held by Helen Cheyne, from Step 6 Secretary at \$15.73 per hour to Step 3 Administrative Aide at \$16.17 per hour, a 2.8% increase, in accordance with the Admin & Support Staff Collective Bargaining Agreement, as recommended by the Fire Chief, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman MacLean, to hire Toby Provencal as firefighter within the Fire Department, a non-exempt position with an hourly rate of \$14.30, Step 1, in accordance with IAFF Local 3254 collective bargaining agreement, as recommended by the Fire Chief, carried 5-0.

Motion by Selectman Massey, seconded by Selectman MacLean, to adjourn at 9:15 p.m. carried 5-0.

8. NEW BUSINESS

A. Hudson Youth Baseball Parade

Motion by Selectman Nadeau, seconded by Selectman Massey, to authorize the Hudson Youth Baseball organization to hold a parade on Saturday, April 7, 2007 starting at 11:00 a.m. at the Hudson Recreation Center and ending at Lions Field, carried 5-0.

B. Community Development Department Personnel

Community Development Director Sean Sullivan referred to the memo he provided for the agenda packet concerning the resignation of Secretary/Receptionist Abby Golliver. His request was to hire her back for 40-hours a week as a contract employee, equally shared by Community Development and the Finance Department, with 20 hours in each department. A part-time person has left the Finance Department to work full-time in another department, so until the position is filled by a permanent part-time employee, there is a need in Finance, as well. Mr. Sullivan said he'd be back to the Board in April for its consideration of a possible reorganization, but in the short term, he was seeking authorization to hire a contract employee through April 30. Mr. Malizia said, more specifically, the person in the Finance Department area would be working for the Water Utility, since the part-time clerk was promoted up to the Town Clerk's office. Interviews are being conducted for that position, but this action would bridge the gap. The actual hours worked would be charged to each cost center—Water Utility and Community Development.

Selectman Massey said, for the record, the person being considered for this position honorably terminated her employee with the town, as of last Friday and will be able to fill in as a contract person. Mr. Sullivan clarified that Ms. Golliver was going to be relocating out of the area, but not for another four to six weeks.

Motion by Selectman Massey, seconded by Selectman MacLean, to hire Abigail Golliver as a temporary contract employee at a rate of \$16.09 per hour for up to 40 hours per week, with an assignment date to end no later than April 30, 2007, carried 5-0.

C. Review of CIP

Mr. Malizia handed out the water CIP. He hadn't gotten anything from the Town Engineer, so Mr. Malizia used last year's submittal, which was basically the same. His understanding was the Board wanted to look through some of the items proposed to see if it wanted to support or not support or has questions about them.

Community Development Director Sean Sullivan

Mr. Sullivan said March 23 was the deadline for submittals to the Community Development Department for the CIP process. Chairman Maddox said the perpetual project was on again—Melendy and County Road. Selectman Jasper said it was going to be a race to see if they get a new bridge over the Merrimack first or the Melendy and County Road bridges repaired. Mr. Malizia said he saw that on the Highway plan for the next year or two.

(Start Tape 1-B)

Selectman Massey said if they had to rank the first three, given what they know about how long they've been going on Melendy and County Road, and knowing what the issue is on that culvert on Pelham Road, he would rank the Pelham Road culvert work before the other two, if they couldn't do them in the same year. In terms of the circumferential, they need to indicate what the importance of that is, so he'd want to put it earlier in the cycle than 2014. If they are not going to do it for another seven years, it doesn't sound important. The money would be the gate, but if they at least put down that they think it's important in the 2009 budget cycle, that will give credence to what they've been saying—that it is needed. Selectman MacLean said they might save money on #4, the traffic signal at Pelham Road.

Selectman Jasper said the problem with #7--the circumferential--\$30 million is beyond their bonding capacity. Mr. Malizia said the town's bonding capacity is \$75 million. Selectman Massey said, at the moment, the town has got about \$23 million, so they've got a little wiggle room, but it would put them fairly close to the top. Selectman Jasper said it was something that needed to be built, but doubted if it was something the town would ever bond. They should be exploring public-private partnerships to do this and questioned if it should be part of the CIP. Mr. Malizia said this is

just trying to get things out into the realm of planning and thinking about it. Could they accelerate it to 2009? Yea, but it would probably get a zero on the CIP, so he didn't know what they'd accomplish with that. It's here to think about and get it in people's consciousness. He didn't think it hurt anything, and CIP could have a vigorous debate about it.

Chairman Maddox said he was going in that direction, but not for \$30 million because that's the 10-year highway plan. They'd be better off saying they'd commit of \$1/4 million to start doing intersection analysis, road grades, etc. Keeping that there as a southern tier circumferential is one thing. For them to insert something to start studying whether that corridor could ever be a town road and what it would take to do that, could be put in the 2009 and that way they've done both things. That way they are saying this is important, but they are not bonding \$30 million. Selectman Jasper said he was going in that direction. Perhaps they should be putting money in there to start looking at the actual layout engineering of that road and they shouldn't be calling it circumferential, since that is dead. Selectman Massey said for purposes of identification, it should be called Lowell Road to 111 corridor. He suggested taking this as an action item and will ask Tom what he would consider a reasonable estimate to do an engineering feasibility and layout project.

Selectman Nadeau said he has been seeing in the Telegraph and Union Leader that the state is going to be doing something with Second Brook. Because of the flooding, they are looking for mitigation of that area. Mr. Sullivan hadn't heard anything about that. Chairman Maddox and Selectman Massey said that was County Road, behind Charbonneau Road. That's where they are talking about.

Chairman Maddox said the Community Development Director is to check on the upgrade of #6, GIS Topo Layer Upgrade and Aerial Flyover to see if 2010 is the right date and insert something for corridor layout assessment for 2009. Mr. Sullivan should also check to see if the state was planning on spending some money on Melendy or County Road, which could affect the town's decision.

Selectman Massey suggested moving Pelham Road culvert to #1, but also include Melendy Road and County Road in 2009. Selectman Jasper said ranking the items wasn't what the Board of Selectmen were supposed to be doing; that would be up to the CIP.

Town Administrator Steve Malizia

Mr. Malizia said the Recreation Director submitted two items—Recreation Center and Field Space. The Board has been talking about a recreation center and field space is always an item. Chairman Maddox said last year, they were looking to get something done on field space. Liaison Selectman Nadeau said nothing came of it. They talked about CIP at the Rec Committee meeting and the area they are looking at for a rec center is at Robinson Pond and they asked about the capital reserve fund they had set up for field space and wondered how much was in it. He said he'd find out that information and get back to them.

Selectman Jasper said \$2 million is nothing more than pie-in-the-sky. This town never gives someone that much money to go build a building. It may be premature to do anything with this this year because they have on the ballot the \$15,000 for the feasibility study. If they were to do anything with Robinson Pond, people would think they were putting the cart before the horse because the feasible study hasn't been done to do anything with the Community Center for the Seniors. By the time they get to the budget, that part of the question should be answered. What should be there, in his opinion, is money for engineering to actually develop a plan, which will be more than \$15,000. They need to do a long-range plan for that piece of land. They may find that it's a perfect place for a soccer field, so he even has a problem putting in money for a soccer field. Selectman Nadeau said the committee felt the \$2 million included field space. Selectman Jasper said this was nothing more than pie-in-the-sky. Somebody needs to develop a real number for what it will take to develop a master plan for that site, with the options of being able to phase it with fields. Throwing a number out like this is not the way to go. Chairman Maddox asked if he wanted to make a motion for \$50,000 for a study. Selectman Jasper said no, he didn't want to just throw out another number. Chairman Maddox said \$50,000 was the minimum number they could put on CIP; that's how he came up with that number. Selectman Jasper said his problem with Rec is it's always last minute, last minute, last minute, and he's not really happy with this. They need to come in with a well thought out plan of what they would like to do and how much money they really need to determine what that is. He could go along with the \$50,000 with the caveat that by the time it comes to budget, it's got to be a real number. Otherwise, he will vote against it. He suggested removing both of the Recreation Department's items.

Selectman MacLean said she was never in favor of constructing Robinson Pond. It's a jewel and a gem, and if they start tinkering with it, it will lose the beauty it had. She is not keen on putting in buildings and parking lots there. The Board threw around the idea of a social department, or an activity department—something that includes people of all ages. If they had a separate building for the Rec Department, it would probably be a beautiful building that would be utilized about 50% capacity, and if they had another type of building that would support other types of activities—Seniors, in particular—that would be utilized at about 50% of its capacity, as well. If this feasibility study comes out that they could put on an addition to the Rec Center and accommodate the Seniors on those nine weeks that they are concerned about, then they would have a building utilized at 100% capacity. That seems much more logical than destroying a beautiful area like Robinson Pond. She didn't support that at all.

Selectman Massey said he was thinking along the same lines as Selectman Jasper. However, if they were to do the recommendation of the OPAC, they would have to do a master plan for the Robinson Pond area. For comparison, the library spent \$225,000 to do the architectural plan for the new library, so he's not sure \$50,000 would be enough for a

complete master plan. He thinks they should send this back to the Rec Center and ask them to provide more specificity for a master plan because if the \$15,000 for the Senior project passes, more than likely, they are going to be looking at a warrant article next year for the construction work, and he didn't see them doing both of those in the same year, especially since if they do the master plan, it will take some time. As for the soccer field, he would like the Rec Department to come back with a proposal of how to partner with Hudson United Soccer Club to complete the second field behind Hills-Garrison School. They have \$25,000 from the Stop & Shop project. It wasn't that Stop & Shop wouldn't do it; the town couldn't deliver the land for them to build it. Send this back to the Rec Committee and ask for a little more detail for a master plan for the Robinson Pond area and what they could do to partner with the HUSC. Chairman Maddox said that would have to be done very quickly because they are looking for input by March 23. Selectman Massey said then they could put a place holder for \$100,000 for the soccer field and \$50,000 for the Robinson Pond master plan.

Selectman Jasper said he could be convinced to leave the money there for the soccer field, but the more he thinks about it, the reality is that if the feasibility study comes back positive for putting an addition on to the Community Center, 09 would be the construction of that, so the likelihood of getting money to do that and to do this not only is unlikely, it's not practical because there is only so much money available in the pot. This is something that can be put off another year. He'd rather see them do a well thought out request for a master plan coming back for the next CIP and not do something that is rushed and going to be poorly received because it was poorly conceived.

Selectman Nadeau said they should put in \$75,000 for the soccer field and a \$50,000 place holder for the master plan for a new Rec center. Selectman Jasper asked if there was an engineer sitting on the Board because that's what he was saying about being poorly conceived. They can't just be pulling numbers out of the air. They shouldn't be going down that route just because they are asking for it. It's premature. They haven't dealt with the first issue yet, which will be voted on tomorrow, then they will need construction. As far as the soccer field goes, you gross budget anyhow, and it would be offsetting revenue, if there was \$25,000 available. If \$100,000 is a reasonable number for a soccer field, then you leave in the \$100,000 because that is a gross budget request. He can't support anything for the facilities plan. It's a simple building, but there are 50 acres out there that includes parking, fields and a number of other things. None of them have any idea of what a reasonable number is and they don't even have a plan with any specificity and are not even present to talk about it. It seems like this was something they wanted to throw at the wall tonight and see what stuck. As far as he is concerned, it has fallen on the floor.

Selectman Massey said they should change both of them to 2010, leave the \$100,000 for the soccer field and change the construction of a rec center to a master plan for Robinson Pond Recreational Area and, as a place holder, put in \$50,000. The Board has indicated they think it's important to do something there and if they don't identify it as a project that needs to be done, then it doesn't get on the CIP. This way, it's not going to impact the 2009 budget at all, if they are both included in 2010. The Rec Department then, as Selectman Jasper said, spend a little more time and come back with a better plan for next year's CIP.

Chairman Maddox said he was going in a different direction. The field space has been on there for the last three years, and you can't build something until you have the land to put it on. Selectman Massey said they have the land. Chairman Maddox countered that that hasn't gone anywhere. The \$100,000 has been the same number. Selectman Massey said the land on the HUSC area. They have first rights to do it, but in collaboration with them, the town could use that and build a field. Chairman Maddox said OK, then he didn't have heartburn moving that to 2010. They need to put some amount of money into doing some sort of study, and now they have a certain amount of time to fill that in. If they want to spend some energy and give the Board a realistic number for a study to put on the 2009, they should. This isn't something they should decide this evening. It's more a function of the Board giving some direction to the various departments. Selectman Nadeau said Mr. Yates is on vacation this week and that's why he wasn't present.

Chairman Maddox said the \$2 million is off. Study it next year, or move it out to 2010? His suggestion was to move it to 2009 for some sort of study number, but no one agreed to that. Chairman Maddox said no one was responding or moving their heads in any direction. Selectman Massey said a master plan in 2010. Selectman MacLean said no. Selectman Jasper said he was fine with the Rec Committee putting together a request and coming back for the 2010 element. It doesn't need to be sitting there for a year because this is the Board's request, not the Rec Committee's, and the Board can't make them do something they don't have any desire to do. He didn't want to make them do something they didn't want to do because the Board isn't the one who is going to be carrying it out. He didn't have any interest in developing the Rec Committee's schedule for them.

Chairman Maddox asked if Recreation Department liaison (Selectman Nadeau) got that. He indicated he did.

Police Chief Richard Gendron

Chief Gendron said his one item on CIP keeps recurring year after year—expansion of the current police facility. The documentation provided states that the department is currently 14,200 sq. ft., projected to last 10-15 years. They are starting to experience crowded conditions. In the legal department, they ended up putting in a table for a third person because there is no room for a desk, and they did the same thing in the records area. They moved the report writing room into an interview room to create room for the IT. The room dedicated for the prosecutor is now shared by three people. The detectives have four work stations. They had to remove the drug task officer's desk to make room for a detective in there. Services have three work stations, but clerical help was moved into one of them, so there is no room

for further expansion. Prior to that, that room was the fitness room, which was moved across the street. At times, especially on the weekends, lockups are getting tight. It becomes more complicated when a juvenile arrest is made because they can't be within sight and sound distance, a federal requirement. The evidence room has been filled to capacity and are trying to come up with ways to move the evidence out quicker, but they can only do so much because they have to hold on to cases until they are either found guilty or all means of appeals have been exhausted. The projected cost is \$4.2 million, up 7% from last year, after speaking with the architect who built the facility.

Selectman Massey said based on his visits to the police station over the past years, this is a needed expansion. Mr. Gendron said one of the lessons learned when they were in the basement at Town Hall, after going through study after study after study, it took over 15 years to build the facility on Constitution Drive and during that time span, thousands were spent on lawsuits. It is also a morale issue if you don't have a proper facility to do the job. He'd hate to go back to what they had before, to a point where they had to start putting desks in hallways and start compromising investigations. There are three elements within a police station—prisoners, civilians (including the public) and police officers. They have to be careful on how those three elements intermingle. When a facility becomes overcrowded, safety is compromised, and that's a concern they all should have.

Selectman MacLean asked if every town has only one police station because \$4 million is a lot of money and they can build a lot of things for that amount. Maybe they could build something smaller somewhere else. Chief Gendron said the city of Boston does, but he didn't understand what she meant. Selectman MacLean said perhaps the public could go to one facility, and the prisoners would go somewhere else, and then the operations personnel would be split up. She just wondered if that would be practical or workable. Chief Gendron said the state police have done that on a temporary basis. They took their whole major crime unit and moved them out.

(Start Tape 2-A)

Selectman Nadeau asked if it would be feasible to use the Kirby Building for the detectives division, if there was room for expansion. Chief Gendron said the Kirby Building is a cinderblock building, not a well-constructed facility. It would not meet the security standards required for a police station, which operate 24/7. Police, Fire and Hospice come under those guidelines. A lot of work would have to be done on that building to make it handicapped accessible. Every year, he soaks a ton of money into that building. He wouldn't advise putting more money into that building, but if that's the will of the Board, they'll have to make it work. He has a problem working with two separate facilities.

Chairman Maddox said combined dispatch wasn't included in this and wondered about the status of that. If they are going to renovate this facility, combined dispatch should be a consideration, as well. That's the time to do it and something the Board is going to have to decide—where they are going with combined dispatch. Selectman Massey said he never thought it went away; he always expected if they did this, one of the requirements would be that combined dispatch would be part of it. Chairman Maddox said then they would have to look at adding those dollars because it was \$1.1 million. Chief Gendron said it wouldn't be as much because, back then, they were looking at adding space in dispatch. At the same time, the architect said while they were in that area, digging it up and knocking walls down, it would be in the town's best interest to add the cells and the extra space for the community room. That's all they were trying to do because there is a problem with the roof. The pitch has to be just so. When people saw they were doing other items, that's when it all fell apart. Selectman Massey asked if this plan includes blowing out those walls to get the additional cells, so it will be even from front to back. Chief Gendron said no, it does not do anything in the dispatch center. Selectman Massey said if they are going to spend the money, they should do it right. Chairman Maddox said it didn't make sense to spend \$4.2 million and not get combined dispatch. They should have a price to do both so they don't tear apart the station again and again—or they should make a decision to do combined dispatch. Whichever way they are going to go, it should fit into the plan. They need to make that decision. Selectman Massey said combined dispatch will save money; they will not have to pay overtime and will not have to use firefighters as dispatchers, and that was one of the economic factors involved in making the decision to do combined dispatch. It would also consolidate all the dispatchers in one room and they would be cross-trained.

Chairman Maddox asked what the Board wanted to do. Selectman Massey said '09, plus combined dispatch. Selectman MacLean agreed everything should be done at the same time; do it once and do it right, but she thought 2009 was pretty full and thought it should be moved out to 2010. Selectman Nadeau agreed with 2010. Selectman Jasper said he wasn't ready to go there at all, at this point. Chairman Maddox said to send this to the CIP, with a separate number for adding combined dispatch. He sensed some hesitation about going down the combined dispatch route. Selectman Massey called for a consensus. Selectman Jasper said he was trying to bite his tongue. Chairman Maddox said until after tomorrow, they should just send them off with that. Somebody needs to make a decision on whether or not they are going to continue with combined dispatch. That needs to be decided by a number of people that may be in the audience. He asked the Chief to work up some numbers that would encompass both. Chief Gendron said that could be problematic because they paid almost \$20,000 to Castle-Boos to draw up the plans for the last one that included everything. Chief Gendron said he might be able to provide a rough estimate by multiplying the square footage by \$350. Selectman Massey said that would be consistent method of doing it.

The Town Administrator passed out the Engineering Department's Capital Improvements Plan that was submitted last year, on behalf of the Water Department. Selectman Massey said Tom Sommers indicated that the first three items, A, B & C, were in his FY09 plan. Item 2 would be 2010, Item 3, 2011; Item 4, 2012 and Item 5, 2013. It's Tom's intention to come to the Board in this budget cycle with the plan for doing the north end water improvements that were in the water feasibility study. Those three items were in the original bond article for 2006 and when that bond article failed,

the following year, they just put the south end project in, and told the townspeople they'd be coming back with this north end project, and that's what Item #1 is. It's the north end part of the water. The consensus was in favor of Selectman Massey's recommendation to move all of the items down a year.

D. Parking Fines Schedule

Police Chief Richard Gendron said there were two areas in the Town Code that covers parking fines. One says \$15 and not more than \$25, and another place it is \$5, and those rates need to be adjusted. The \$5 doesn't even cover the cost of printing the tickets, and people aren't even paying them. Last year, 24% weren't paid; 27% the year before; 27% in '04 and 31% were unpaid in 2003. One individual owes 12 tickets. The proposed schedule would address those issues. Someone had suggested that when people register their vehicles they have to pay all their unpaid fines. That's fine if you live in Hudson, but if you have a company vehicle or someone lives out of town, there's no way for him to collect. His proposal is to increase the fines to adjust the cost for printing the tickets and all of the paperwork that goes with tracking it between them and the Town Clerk. If not paid within 72 hours, by state statute, they are allowed to issue a summons to appear in Nashua District Court. That will probably get the message across loud and clear. All of the fines are \$20, except for hydrant or fire lane violations, and those are \$25. Selectman Massey said \$20 fine for violating the winter parking ban wasn't much of a deterrent, especially when plows have to navigate around cars, and thought it should be changed to \$50. Chief Gendron said the parking ban is from December 1 through March 31, not just on snow days and people basically conform to it. Signs are posted on roads coming into town, saying there is a parking ban in effect. The majority of the tickets are written the first two weeks in December. If DPW comes across one that got by them, it will be removed that night.

Selectman MacLean wanted to be on record as saying she paid her \$5 fee about a year ago she got for winter ban parking. When she first saw the ticket, she thought it was \$500 and, as a Selectman, she felt she had to pay it. When she realized it was only \$5.00 she was relieved and immediately paid it. She was glad to see the \$5 fee increased because it's cheaper to pay the fine than it is to use a parking garage—and she will never park on the street again in the winter.

Selectman Jasper asked if there were any statutory restrictions for setting these fines. Chief Gendron said only for the fire hydrants and fire lanes and handicapped. Selectman Jasper said he was fine with what was being proposed.

Chairman Maddox objected to the 72 hours and thought three business days would be more appropriate. Chief Gendron said the tickets would indicate they could pay them at the HPD, and he got that number from the state statutes and felt it was more than fair. After a brief discussion, the consensus was to leave it at 72 hours. Selectman Jasper said if it was over a three-day weekend, they could trust that the Police Department would take that into consideration. Chief Gendron confirmed that if the fine was paid before the court date, the case would be tossed out.

Motion by Selectman Jasper, seconded by Selectman Massey, to send the proposed fee schedule to a public hearing on March 27, 2007, carried 5-0.

E. Acceptance of a \$1,875 donation from Wal-Mart to the Police Department's Animal Control Div.

Police Chief Richard Gendron said this money would be used to upgrade and/or repair fencing for the dogs in the back.

Motion by Selectman MacLean, seconded by Selectman Jasper, to accept the donation, with the Board's thanks and appreciation, carried 5-0.

F. Acceptance of a \$2,173 grant from NH Highway Safety Agency for "Join the NH Clique Seat Belt Campaign."

Police Chief Richard Gendron said the Hudson Police Department participates in this safety program every year, which promotes the use of safety belts. It involves doing a survey at the high school to ensure the kids are wearing their seat belts. They also go down to Wal-Mart and hand out public information on the use of seatbelts and try to promote it without making it a mandatory requirement in the state of NH, the only state that does not have such a requirement. Selectman Jasper said the first fatality he ever went to, the occupant was wearing a seatbelt; he was hanging upside down and bled to death. That's why he didn't want to be the one to decide what others should do. The NH motto hasn't been changed yet to, "Welcome to New Hampshire, the nanny state." Selectman Massey said there is nothing the town can do that the legislature doesn't tell them they can do, so the state does take it upon itself to be the nanny state.

Motion by Selectman MacLean, seconded by Selectman Massey, to accept the grant, on behalf of the Police Department, carried 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Rick Maddox said he wanted to go first tonight, then addressed Selectman MacLean, saying it was her last meeting and he wanted to ready something that was written, with the help of Priscilla. "Along with everyone else, I am, at times, surprised, shocked, dazed, taken aback, befuddled, puzzled, perplexed, baffled, mystified, bewildered or bemused by your position on items that come before us." He thanked her and, as a freshman, he didn't think she was going to make it, but she did. She has been a great asset to the Board of Selectmen, and to the community. On behalf of the Board and the community, he thanked her for her service and hoped to see her on something else real soon.

Shawn Jasper said while he really didn't want to carry on the feud, he's been thinking about some things, particularly with a letter to the editor by former Selectman Cole, castigating the Board for not recommending the police officers, and thinking about the comments from Terry Stewart, also a former Selectman, that really needed to be said. The vote is tomorrow and probably there aren't that many people watching that his remarks will affect. His intent is not to affect, but to make people think. Last year, the Board of Selectmen, which those two members were part of, and were actually in the majority, had recommended that four firefighters be hired. That was their priority last year and actually part of a three-year plan, which would entail hiring 12 firefighters, so he finds it somewhat disingenuous that they would be bashing this Board for carrying out even a modified version of their plan. As he looked at things a little bit more and spoke to the Police Chief, in fact, the Police Chief was asked last year not to submit a request for police officers because the Board was going for firefighters. Given that, and given that they didn't come forward, and given that neither of those two former Selectmen, who were being so critical now, didn't make the motion to put police officers on, you have to come to one of two conclusions. They are just looking for somebody to bash because they lost, or they honestly believe that since he and Ben have been sitting on the Board, the crime rate in this town has skyrocketed and didn't exist last year. He didn't think that was the case. He thinks this is a matter of being less than sincere and it's unfortunate that they can't all try to work together. He honestly thought that when they went forward with the two firefighters, they were carrying forward a modified version of the priority of the Board, but then to have two people who went off, who had bought into that priority go off the way they have, he really was saddened to see that. He hoped they could get over that and think a little bit more before they decide to cast more aspersions. That's a problem today in politics, in general. Everyone wonders why there aren't better qualified people running for whatever office—president, or whatever—but what do people do? They sit out there and look at the *Thumbs* column and everybody loves to criticize every single action that those of them who are willing to step up and put their necks on the line are doing; they don't call on the phone and ask why they did something, ask for the rationale behind a decision. They just anonymously make nasty comments and then wonder why. There is only one contested race in tomorrow's election, and open seats in other cases. Next time someone is so willing to throw stones and question the motives of public officials, ask yourself, "Did I call him up? Did I come in and talk to him? Did I give him a fair chance?" Why can't they assume the people who are serving them and willing to step up to the plate are doing it for the right reasons? None of them are perfect. One of his favorite sayings is, "If I don't make at least two mistakes a day, I haven't done anything all day long." Selectman MacLean added, "Or you've just done one thing." Continuing, Selectman Jasper said they all make mistakes and he makes them constantly and tries to learn from them and move on. Enough said.

Third Bridge. Regarding the status of the third bridge, the committee retained the bill, rather than killed it, so that's a positive step. They are trying to figure out how to make the tolls in Merrimack go away. He learned that the tolls in Merrimack only net the state \$1½ million a year, which is not a lot of revenue. There is a bill that would have eliminated all of the tolls in NH, except for Hooksett, Hampton and Bedford. Someone at DOT told him you could make up all that revenue from eliminating all of the other tolls by increasing the tolls at those three remaining ones by 25¢, so they could eliminate the tolls in Merrimack and raise the other three by a quarter and make money, which would help Hudson's situation, because that is a concern, as well. This toll would have to be very high to pay the bond and DOT and the turnpike fund are not in good shape right now. The bill is still alive and they'll be looking at it over the summer and fall and making a recommendation for the session in January. They will continue to work and, hopefully, people will sign the petitions in the various communities and that will certainly help if there is a lot of signatures. The people on the committee will know there is a real interest.

Chairman Maddox said tomorrow at the polls, the Selectman will have a table set up for the voters to sign a petition that declares the citizens of Hudson support the 3rd bridge over the Merrimack and understand it will be a toll road. The signatures will be collected and sent off to the appropriate people, probably DOT and the committee chair. He asked the voters to please spend another minute at the polls to sign the petition. The squeaky wheel gets the grease and this is a chance for all of them to squeak.

Farewell to Selectman MacLean. Selectman Jasper then addressed Selectman MacLean, saying this was her last meeting, and it could be Selectman Maddox's, as well. This was his 12th year on the Board of Selectmen and, by far, his most enjoyable year. He certainly hoped that next year is just as enjoyable. Selectman MacLean has made it very interesting. In the last few months, no one has had to tell him not to roll his eyes. Selectman MacLean said they have his daughter to thank for that. Selectman Jasper said just when they had Selectman MacLean well trained, she decided to move on. He said she has been a joy to work with and she will be missed.

(Start Tape 2-B)

Ken Massey said contrary to what many people may think, there is an awful lot of work that gets done in this town and, in particular, the engineering department works very hard for the town. He is going to update everyone on 11 projects the engineering department is currently involved in.

- 1) The James Way Bridge final construction will be done this construction season, probably April or May.
- 2) The nice-looking building by Stop & Shop is the new booster station for the south end water system. Everything is in and should be operational by the end of March or early April. When it is operational, the Compass Point booster station, at the other end of Holly Lane, will be decommissioned.
- 3) Relative to the pipeline that was put in on Wason Road last summer, the final coat will be done this spring.
- 4) The preconstruction meeting for the south end water tank was held last Monday and it will be operational in September, per the contract. The contractor has 200 days from the day he starts till it is operational. Words have been bandied about, such as substantially complete, which is an engineering term, but according to the town engineer, that means the tank will be able to be turned out and they can start using it.

- 5) The company that was selected to do the engineering study for the Gordon Street tank has got the proposals in to the Water Utility Committee. He expects they will be seeing a recommendation from that committee in either April or May.
- 6) Barretts Hill—scheduled upgrades to the existing water system, to put a tank and water line at Windham Road, to add a booster station and once the system is operational, decommission the Marsh Road booster station.
- 7) Regarding the culvert at Pelham Road, they expect to have the proposals with an estimate this year and the work to be done in fiscal 2009.
- 8) Signal at Library and Central Streets, all of the easements are now in place. The project is going out to bid in April and it's expected the construction will be started in late June/early July, after the school year is over.
- 9) They are still working on some easement documents for three properties relative to the Lowell Road sidewalk project. It is anticipated they will go to bid in June, with the work done in late summer, early fall.
- 10) The expectation is to do 102 Sidewalk in Fiscal 2009 and it would include a pedestrian signal at the Hills Garrison School entrance, across from Evergreen Drive. That way, the town would get 70-30 reimbursement for the work done on the project.
- 11) Highland to McDonald's on Derry, the base coat is expected to be done by late this season, with the final coat next year.

These items are in addition to all of the work the engineering department does relative to all of the plans that come before the Planning Board that require engineering review and comment. Thank you to the engineering department for some great years.

In terms of the IT Department, in order to get off the VAX, the last items for Muni-Smart are the cash receipts from the Planning Department and the agency fees. They anticipate they will be finished with that by the end of this calendar year. He apologized for not being able to pull the plug on the VAX at this point, but they are working as hard and as fast as they can to get it done. The cost of the VAX has been reduced by \$259 per month already and when it is finally finished, it will be reduced by another \$364 a month and they will also then have one admin license. All in all, they are still on the original target of being operational and off the VAX by the beginning of Fiscal 2008.

The CIP is an important element in the town being able to charge impact fees for the town, the school and the library. If you don't have a Capital Improvements Plan, your ability to charge impact fees is severely limited. Last year, the school had no representation at the CIP, so he asked for a consensus of the Board for the Town Administrator to send a letter to the Chairman of the School Board and the Superintendent, emphasizing the importance of the CIP program and requesting that a school representative attend the meetings this year. Chairman Maddox noted a lot of people were nodding their heads, then asked Mr. Malizia to take care of that.

Selectman Massey thanked Chairman Maddox for his service and wished him well tomorrow. He enjoyed working with him over the last three years—and they'd know tomorrow about the next three.

Ben Nadeau said the new ambulance is in service. The new Deputy, Neil Carter, and the new Captain, Kevin Grebinar, started last Monday.

Last Friday night, the Recreation Department had a wonderful movie night, with over 225 people there. A great time. The Rec Department has also scheduled the next Comedy Night for May 19.

He thanked the Cable Committee for a great Candidates' Night. A lot of people watch it. He encouraged people to get out and vote tomorrow; polls open at 7:00 a.m. and close at 8:00 p.m.

Selectman Nadeau said during his first year, it was great working with Selectman MacLean.

Kathleen MacLean said Selectman Massey thanked Selectman Maddox for the last three years, but to her, he had said it has been a very enjoyable year, so she assumed that the first two weren't really that good. Chairman Maddox said no matter what you say, you can always get into trouble.

Selectman MacLean was prepared to give a liaison report, too, and since it might be awhile before her departments get a liaison because sometimes they don't get assigned for a month or so, she wanted to say that the Cable Utility Committee's report in the town's Annual Report is very clear, concise and tells all the wonderful things they accomplished this year. In the Town Clerk's Office, people will see two new beautiful faces in there—Patricia Barry and Pam Bisbing—who have joined that office, and she welcomed them. With the library, she didn't need to report anything. Their report is also available in the Town Report and they are eagerly awaiting tomorrow's vote.

Selectman MacLean said she went to see the new ambulance. They let her sit in it and put it in reverse and you can see the video of what's behind you. It's quite amazing and would be a wonderful blessing for no one to have to every ride in that thing, but if you must ride in an ambulance, you're in good hands with that one, not just mechanically, but with the good people of Hudson who provide the care. The people are all very lucky.

She thanked Jean Serino and HCTV for the great programs that they did with the Selectmen, the interviews and the warrant article programs. It's a lot of work, a lot of coordinating, a lot of phone calls and it's a first class operation. She was in the audience for some of it and it's much different than a Selectmen's meeting—camera one, two, three or four. It's panning and zooming in. It's really quite complicated and she was quite impressed. She had read something in the paper that someone was disenchanted with HCTV. She wanted to make sure everyone knows they are more than welcomed to produce programming for HCTV, but the onus is on the people. Jean Serino does a ton of work to get the programs out, but everyone is encouraged to do that. Please contact HCTV or Jimmy McIntosh. The numbers are on the web site or on the scroll.

Relative to her final comments, as she was preparing them about a week ago, she read them to her husband. His response was, "Kath, I know you are sincere, but it sounds like you are accepting an academy award," so she narrowed her 'thank you's' down to four. "Thank you to every single employee and every volunteer, and I'm not even naming a name because I would get back to my original speech. Everyone, thank you so much for your kindness towards me, your patience with me and guiding me and helping me along the way. That was one. My fellow Board members. I love you like brothers, and I have three brothers, so I know the dynamics of that. There are days that I want to strangle them; there are days that I admire them; and there are days I have to ask them for forgiveness. We're a family, in that sense, and through it all, we try to work towards our common goal, even though we have some trouble—but I love you all and I thank you so very much for all of your kindness towards me. And I said I wouldn't name names, but number three is Steve and Priscilla. I could never thank you enough for everything that you've done for me. Your patience with me coming on board and not just on my first days, but for all three years. You guys are the foundation of this Board and the backbone of this town, and I thank you so much for that. And, like I said, words could never do. That was three. Now, my fourth and last one, and most importantly, the citizens and the taxpayers and the voters of Hudson. Thank you for allowing me this wonderful opportunity. My greatest hope is for you to remember me as someone who tried their best to represent you honestly and wholeheartedly. And please vote tomorrow, March 13. I will be there and I will be near the petition for the bridge, getting you to come and sign that petition. Again, from the bottom of my heart, I thank you all so very much."

Rick Maddox said there is a police vehicle that wasn't traded in because they were going to use something from Community Development instead. He asked if that has gone through. Mr. Malizia said they are going to trade in the Caprice and keep the Explorer for job sites and inspections.

The elevator lift in the main foyer seems to be non-operational most of the time. In just last year, \$6,600 was spent on its maintenance. He recalled that on several occasions, people have not been able to use it to get to the meeting room downstairs. One time, a lady was carried up the stairs in her wheelchair because, although the lift brought her down, it wouldn't go back up. It's time to look to the FY09 budget to see if there is something else they can put in there, an upgrade or something, because it isn't very reliable. Selectman Massey said they've had problems with that lift every since it went in, and he surmises it was done on the cheap. There have been nothing but problems since day one. Either it was not properly installed, or it was not built for the kind of use it was going to get. It hasn't been reliable, and he was here the day that individual had to be carried up in the wheelchair. That is just not right. He thought they should have an elevator company come and provide an estimate of what it would cost to put in a better system and, if it's within the contingency funds this year, to use the money. The individual who has to use that lift, and can't, it is an affront to their dignity, and that's not right for the town, knowing there is a problem with it, with the means to correct it, and not doing so. Whether they take it out of contingency this year, or next year because they didn't budget for it, they'd be taking it out of somebody's budget next year. If they are going to do it, why not do it now, if they have the money in contingency?

Selectman MacLean said perhaps the lift should be used more often, like once a day, just to operate it. She had a sewing machine once that needed to be repaired and was told that it was because she needed to use it more often. Mr. Malizia said the town custodian has been using it often, just for that reason. Selectman MacLean asked if it has been operational since it has been repaired. Mr. Malizia said yes, to his knowledge. He wasn't aware of anyone having a problem with it lately.

Chairman Maddox asked the Town Administrator to check to see what their options are. They never know when it may or may not work, and they need to have something reliable.

He thanked Jean Serino and HCTV. Putting together Candidates' Night means lugging all that equipment to the Community Center, setting it all up, to be able to have the citizens of Hudson see the candidates for the elected offices. That's one of the things they were hoping to get from HCTV and they have done a great job of putting together various programs, getting citizens the information they need. Hopefully, that will continue and do nothing but grow.

Continuing, Chairman Maddox thanked the Selectmen's staff. They all look good because Steve does a lot of work in the background, making sure most of the stuff is vetted before the Board sees it. Priscilla and Linda take the phone calls from citizens and funnels them to where they need to go, and most of the time it gets taken care of. All of the people that work in the background to make this town what it is, he deeply appreciates.

Chairman Maddox hoped to see a lot of people waving back to him tomorrow on election day.

10. NONPUBLIC SESSION

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

Nonpublic session was entered into at 9:10 p.m., following a 10 minute recess, thus ending the televised portion of the meeting. Chairman Maddox stated that any votes taken upon exiting from nonpublic session will be listed on the Board's March 27th agenda. Open session was entered into at 9:28 p.m.

11. **ADJOURNMENT**

Motion by Selectman MacLean, seconded by Selectman Nadeau, to adjourn at 9:30 p.m. carried 5-0.

Recorded and transcribed by Priscilla Boisvert
Executive Assistant

HUDSON BOARD OF SELECTMEN

Richard J. Maddox, Chairman

Shawn N. Jasper, Vice-Chairman

Kathleen R. MacLean, Selectman

Kenneth J. Massey, Selectman

Benjamin J. Nadeau, Selectman