

HUDSON, NH BOARD OF SELECTMEN
Minutes of the February 27, 2007 Meeting

1. **CALL TO ORDER** by Chairman Maddox at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. **PLEDGE OF ALLEGIANCE** led by Executive Assistant Priscilla Boisvert.

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; Jim Michaud, Assistant Assessor; Richard Gendron, Chief of Police; Shawn Murray, Fire Chief; Assistant Scout Master Mike Teague and Boy Scouts Ryan and Daniel Teague; Representative Lynne Ober; Terry Stewart; Frank Rosier; Kevin Houle; Ray Rowell; Leo Bernard; Norman Martin; Doug Robinson.

4. **PUBLIC INPUT**

Representative Lynne Ober, 3 Heritage Circle, said last Thursday, they had a hearing before the Public Works Committee on the bridge. Town Administrator Steve Malizia, Community Development Director Sean Sullivan, Police Chief Dick Gendron, Fire Chief Shawn Murray, Selectmen Vice-Chairman and State Representative Shawn Jasper, and she, the prime sponsor of the legislation, were all there for the hearing, including the other sponsors of the bill, Representatives Russ Ober, Andy Renzullo, Bob Haefner and Jordan Ulery. In addition, John and Mary Ann Knowles were there for approximately half of the hearing before they had to leave. Overall, the hearing went very well. Mr. Sullivan gave some very good statistics about the traffic and the impact. The two chiefs covered safety and traffic issues and talked about the growth of the town, and Selectman/Representative Jasper presented the letter from the Hudson Selectmen and talked about the deep support in Hudson. When she introduced the bill, Rep. Ober said the bill had two purposes—number one, the bridge is on the 10-Year Highway Plan, but it's way down on the list, so the first purpose is to move it up and make it more expeditious, so it will go in more with the widening of I-93. The second piece is to provide a revenue stream, the one way toll with the toll booth in Litchfield, going across to Merrimack. The legislation specifically says the toll will be removed when the bonds are paid off. Two people spoke against it. Two people from Litchfield, former Representative Leon Calawa, who was the prime sponsor of this legislation two years ago, and former Representative/former Selectman and current School Board member in Litchfield, Ralph Boehm, spoke in favor of the bill. Mr. Boehm got the opposition a little wound up because he pointed out that if people didn't want to pay the toll, they didn't have to use the bridge. Representative Bob Larue from Merrimack took a bit of offense at that. He said to make no mistake; the people in Merrimack are in favor of the bridge, but not in favor of having another toll. They perceive that they pay a toll every time they want to get off the turnpike, and too much is too much, even a one-way toll, with the toll booth in Litchfield, they find displeasing. There was a gentleman from Nashua who was very jumpy and said he was against the bridge and where the bridge was going to up. Up to this point, nobody had been talking about where the bridge was going to go. They were talking about the funding mechanism, etc. The committee will have to decide what they are going to do with that bill, but she wanted to say that the people who came from the town did a wonderful job. The hearing went positively and the sponsors appreciated the support.

Chairman Maddox asked if there was anything else the Board or the citizens can do to keep this moving forward. Rep. Ober said they need to let the members of the committee know what's going on. She was going to bring the e-mail addresses, but there has been an information technology meltdown in Concord, and presently their web site is next to impossible to access. She said if she gets to Concord, she'll get the addresses and forward them to Priscilla. She asked if Representative Jasper knew the status of that. He didn't. He said although this is on the 10-Year Highway Plan, it was a separate funding entity, so he sort of felt that took it off the plan, essentially. All of the other projects are funded through the normal revenue stream. There was some question of what NRPC would be willing to move down on the list. The week of the hearing, he was under the weather and he hadn't been thinking too well. He was barely functioning and it wasn't until the morning of the hearing that he thought to call Steve and ask where NRPC was on this, and if they were coming. The Board needs to talk to them and, hopefully, they are supportive of this and, apparently, there are members of the committee, and maybe it's a procedure they have to follow, he's just not clear on it because he's never been a member of that committee, but there may need to be a statement from NRPC saying, "with this funding in place, we are willing to move this up ahead on the list," and that may be a very important element. As soon as they can, they need to contact NRPC and find out where this is at.

Town Administrator Steve Malizia met with NRPC's Steve Williams and expressed the importance of the project, stated what the town's objectives were. Mr. Williams will be at tomorrow night's meeting, where there will be some discussion with the DOT regarding the northern bridge crossing. Mr. Malizia expressed the importance to the town of Hudson, so Mr. Williams is pretty well versed. Mr. Malizia expects Mr. Williams is going to be speaking to members of the Board tomorrow night at the hearing. Mr. Malizia said in his 10 years here, this is the first time he's gone to Concord to testify. It's important to the town and to the townspeople, and that has been impressed upon Mr. Williams.

Selectman MacLean said this might be a good time to let people know about the meeting tomorrow night, February 28, with DOT, which will be at the Community Center at 5:30 p.m. It will include questions and answers and a discussion. Mr. Malizia said his understanding is this is DOT's attempt to possibly talk with the communities involved, representatives from their governing bodies, who have been invited. He didn't think it was a public input meeting, but the public is welcome and might have an opportunity to speak, but it's mostly for the governing bodies to get in a room together to work to determine what the course of action should be. Selectman MacLean said a showing from the public, even if they can't speak, would reflect well on support of the whole project. Mr. Malizia said it wouldn't hurt, plus they are doing a petition, or documentation, for town meeting, that the Board directed, so folks can actually sign something that can be forwarded to Concord.

Chairman Maddox said maybe they can get the (Committee) Chairman's e-mail address, which can be scrolled on HCTV, because it wouldn't hurt to get a few more e-mails, saying we really need to get this thing moving. He thanked town staff and the State Representatives—everyone involved—because they are actually seeing progress, which they haven't seen in a long time.

Terry Stewart, 22 Tamarack Street, thanked everyone who made it possible for her to get the tapes she had requested very quickly, adding that she viewed every one of them, minute for minute. She then read the following prepared statement:

With regard to the issue of whether or not Chief Gendron was ever asked by the Board of Selectmen to prioritize the department's requirements, I have watched all the tapes of the meetings in question and have found that this Board, at no time, asked the Police Chief to prioritize his needs. I have also been unable to find any reference to any Board of Selectmen discussions about hiring two firefighters in 2007 and two police officers in 2008. Selectman MacLean stated at the last meeting she thinks this is much ado about nothing. She could not be more wrong. A false statement was made by members of this Board and repeated by members of the Budget Committee, as if it were Gospel. This statement is not the result of a faulty memory; this statement is nothing less than a lie. I did not tolerate lying from Bill Clinton, and I will not tolerate lying from our local elected officials. This Board tried to make the Police Chief look unprofessional. Selectman Jasper stated that if it is determined that he was wrong, he would apologize, but I am sure that in true Jasper style, he will twist and turn it any way he can to avoid the truth. Selectman Jasper also stated that there are people challenging his credibility. He doesn't have to worry about that since he no longer has any credibility with the people. But Selectman Shawn Newton Jasper's over 20 years in politics does have quite a history, between gift-gate, ballot-gate, bee-gate, hair-gate, and the taxpayer money that was spent on all his other issues.

Chairman Maddox gaveled Ms. Stewart, as Selectman MacLean said, "with all due respect." Ms. Stewart wrapped up by saying, "This Board owes the Police Chief and the residents of Hudson a formal and public apology. Thank you." She said the tapes were available for anyone who wished to view them.

Selectman Massey said he wanted the record to reflect that the Budget Committee never had the opportunity to vote on hiring two police, as a result of the Selectmen's budget because the Budget Committee didn't have the opportunity, inasmuch as the Board of Selectmen voted not to send that to the warrant. The only time the Budget Committee ever had an opportunity to weigh in on that issue was as a result of a petitioned warrant article. There was some confusion at the deliberative session that both the Budget Committee and the Board of Selectmen had voted not to send that to the warrant. But it was only the petitioned article that the Budget Committee had any information on. They never saw the other one because the Board never forwarded it. He wanted that in the record.

Chairman Maddox said if the Board wanted to discuss this further, it should be done in Other Business.

5. **NOMINATIONS & APPOINTMENTS**

Chairman Maddox said the Board had a request from the Chairman of the Zoning Board of Adjustment, Brad Seabury, on behalf of the ZBA, to declare the seat of Tammy McNulty vacant and to fill that vacancy with the current alternate, Bill McInerney because there were already two alternate vacancies and one alternate member was running for Selectman and the other alternate was already a member of the Planning Board. A copy of Tammy McNulty's resignation was a late handout.

Motion by Selectman Massey, seconded by Selectman MacLean, to accept the resignation of Tammy McNulty as a regular member of the Zoning Board of Adjustment, with thanks and appreciation, carried 5-0.

Selectman Massey said Mr. McInerney has been a very valuable resource to the ZBA and it's going to be to the town's advantage, and to that board, for him to become a regular member. Chairman Maddox said there is also strong support for that action from ZBA Chairman Brad Seabury.

Motion by Selectman Nadeau, seconded by Selectman Massey, to appoint current alternate Bill McInerney to the vacant member seat, as recommended by the ZBA, with a term to expire 12/31/08, carried 5-0.

A. **Building Board of Appeals** (1 member, term to expire 12/31/09) No applicants.

B. **Planning Board** (1 alternate, term to expire 12/31/08)

~~David Fredenburg, 27 Hazelwood Road~~ (withdrew application)
Robinson Smith, 48 Burns Hill Road (Interviewed 2/13/07)

Motion by Selectman Nadeau, seconded by Selectman Massey, to appoint Rob Smith as an alternate to the Planning Board, with a term to expire 12/31/08, carried 5-0.

C. **Solid Waste and Recycling Committee** (4 members, 2 to expire 12/31/07 & 2 to expire 12/31/08)

~~Marc F. Michaels~~, Zero Fir Lane, was not present.
~~Leo C. Bernard~~, 3 Bungalow Avenue (Interviewed 2/13/07)
~~Frank Rosier~~, 6 Little Hales Lane (Interviewed 2/13/07)

Raymond Rowell, 6 Marshmallow Path, said he was applying for this committee because he was surprised at the \$1.6 million trash contract the town signed. He also wanted to look at different alternatives for trash removal, such as a joint incinerator or a transfer station. He is already involved with the town, and wanted to get more involved.

Selectman Nadeau, (as liaison to this committee), asked if Wednesday night at 7:00 would be OK for Mr. Rowell. He answered that it would. Selectman MacLean clarified that if Mr. Rowell was elected as Selectman, he wouldn't be able to serve on the committee. Chairman Maddox said he could always be the liaison. Selectman Massey asked why Mr. Rowell was surprised at the new contract. Mr. Rowell thought the committee of more than one person would decide the contract. He wanted to see if they could get more input towards the \$1.6 million. Selectman Massey asked if Mr. Rowell realized that, once the committee is formed in March, its initial task is going to be to educate the town on the new recycling program, etc., and if the committee would look at how they are going to allow people who don't own a vehicle to be able to take something to the dump, that they would have some type of permitting process that would allow them to do that. (No audible response.)

Motion by Selectman MacLean, seconded by Selectman Nadeau, to appoint Frank Rosier and Leo Bernard to the Solid Waste and Recycling Committee, terms to expire 12/31/08, carried 5-0.

Selectman Massey said there may be a conflict. The Water Utility that Mr. Bernard is on meets on the third Wednesday of the month. Mr. Malizia said so does Mr. Rowell, but if they are meeting at 7:00, there shouldn't be a conflict because the Water Utility Committee meets at 5:00. There was some discussion on whether or not a room would be available. If one was not, the committee could meet at the Highway Department. Selectman Nadeau didn't know if it was going to be on the third Wednesday, or another Wednesday. Selectman Massey said the Planning Board meets on the other Wednesday nights. Selectman Jasper suggested the Board not micro-manage the meeting schedule, so it was decided that the logistics would be worked out once they got going.

Motion by Selectman MacLean, seconded by Selectman Jasper, to appoint Ray Rowell to the Solid Waste and Recycling Committee, term to expire 12/31/07, carried 5-0.

D. Zoning Board of Adjustment (2 alternates, one term to expire 12/31/07 and one to expire 12/31/09)

With Mr. McInerney's appointment tonight from alternate to full member, that opened up another alternate's position, making it three, with a term expiration of 12/31/08.

Kevin Houle, 1 Cathedral Lane, said he wanted to get involved with the community. He's been living in town for 15 years and now that his children are older, he can get involved. Selectman Massey said alternates of the Zoning Board, like the Planning Board, are expected to attend all of the meetings, whether or not they are voting, because it is only after they have been watching and participating in those meetings over a period of time that they come to appreciate the judicial nature of the board, which is one of the reasons why Zoning Board members get appointed as alternates first, and then if a vacancy occurs, they move up to member. If at any time during the course of a meeting, a regular member is unable to participate, for whatever reason, in a particular case, then alternates are expected to step into that position. The board meets at least once a month, sometimes twice a month. Selectman Massey asked if Mr. Houle was able to commit to attending all of the meetings. Mr. Houle said absolutely; he wouldn't not have applied if he couldn't have made that commitment. Chairman Maddox asked if Mr. Houle has ever attended a ZBA meeting. Mr. Houle said yes, he sat through a partial meeting and has watched them on cable.

Motion by Selectman Nadeau, seconded by Selectman MacLean, to appoint Kevin Houle to an alternate's position on the ZBA, term to expire 12/31/09, carried 5-0.

Chairman Maddox said appointees will be receiving a letter from the Town Clerk to arrange for swearing them in.

E. CTAP Sub-committee

The following boards have made their appointments for the CTAP subcommittee.

- Board of Selectmen: Rick Maddox
- School Board: David Bouchard
- Planning Board: Suellen Seabury Quinlan
- Zoning Board of Adjustment: Brad Seabury
- Recreation:
- Conservation Commission: Linda Kipnes

Mr. Malizia said he spoke with Dave Yates today, and there are two Recreation Department people who are interested, so a name will be forthcoming. Selectman Nadeau dittoed that.

6. CONSENT ITEMS

Motion by Selectman MacLean, seconded by Selectman Massey, to receive consent items, A-C, carried 5-0.

A. Assessing Items

Veterans' Credits: 24 Ledge Road, 71A Windham Road, 12 Richman Road, Marvin Laut, 420 Elk Run; Disabled Credit: 71A Windham Road; Disabled Exemption: 19B Holly Lane, w/recommendation to grant.

B. Acceptance of Minutes

- 1) Minutes of the Board of Selectmen's Meeting of February 6, 2007
- 2) Minutes of the Board of Selectmen's Special Meeting of February 10, 2007

C. Calendar

3/05 6:30 School Board in BOS Mtg Rm
3/06 7:00 BOS Workshop in BOS Mtg Rm
3/07 7:00 Planning Bd Workshop in CD Mtg Rm
3/08 5:30 Sewer Utility Committee in BOS Mtg Rm
3/08 6:30 Recreation Committee @ Oakwood Rec Center
3/08 7:30 ZBA in CD Mtg Rm
3/12 7:00 Board of Selectmen in BOS Mtg Rm
3/12 7:00 Conservation Commission in CD Mtg Rm
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
3/19 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
3/27 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 13, 2007

Motion by Selectman Massey, seconded by Selectman MacLean, to hire Pam Bisbing as an Assistant Town Clerk/Tax Collector at \$15.31 per hour, Grade VII, Step 5 (a lateral move) effective March 11, 2007, in accordance with AFSCME Local 1801 Admin & Support Staff contract, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman MacLean, to hire Kevin Greibnar as Captain of Fire Training and Safety in the Hudson Fire Department, a non-exempt position, in accordance with the Police, Fire and Town Supervisors' Association, Step 1, at an hourly rate of \$29.06, effective March 4, 2007, as recommended by the Fire Chief, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman Massey, to increase Vin Guarino's hours from 35 per week to 40, at an hourly rate of \$32, carried 5-0.

Motion by Selectman Massey, seconded by Selectman MacLean, to adjourn at 11:58 p.m., carried 5-0.

8. NEW BUSINESS

A. Police Cruiser Bids

Police Chief Gendron said they are trading in and purchasing six vehicles. They advertised in the local papers and got quite a few bids, a lot from out of state, but the lowest bid is McMulkin Chevrolet in Nashua, for a total of \$102,911 for five Chevy Impala sedans and one mid-size SUV to replace a 2001 Ford Explorer. Hilltop Chevrolet was eliminated because they bid a full sized SUV, which was not spec'd out that way. Chairman Maddox said the budget line item for that is \$120,000 so this bid amount is well under, and suggested the Chief should buy all town vehicles. Chief Gendron said he called to double check that this was the right price. They did really well.

Selectman Jasper agreed that it was a fantastic bid. He said every year they hear from various departments about vehicles that need to be replaced. They have about \$17,000 to play with and still stay within the \$120,000 line item, so he wondered if there were one or two of these vehicles that might fit the need of another department and replace a vehicle they already have and start rotating some of them. In years past, they've done that to some degree, and it didn't work out, but they've gotten a little better with the vehicle rotation within the Police Department. The Chief has to rotate some of the vehicles a little sooner than they absolutely have to, or else it will mess up the whole schedule. Chief

Gendron said most of the vehicles have over 80,000 miles on them. Even though they are not spending the entire amount in the line, they will use that extra up because during the budget season, the line for graphics was eliminated, which has to be done. He is more than willing to work with another town department when they do the bids. Some departments just don't put enough mileage on a new vehicle; it would probably rot out before it reached 80,000 miles. He is willing to look at their fleet and pass on a vehicle, if they can, but then he wants the vehicle given back to the Police Department when it still has some value to it, either age or mileage, so he can get a good trade-in on it. That's the key to getting the good deals they are getting. They are trading them in at the right time. He didn't get a lot for the 2000 he's trading in, but if the mileage is good and the vehicle still has a lot of life left in it, these vehicles are usually sold down in Boston and used for taxis, etc. He's willing to help out other departments, such as Community Development, where there is a need.

Selectman Jasper said there is money in contingency to make up some of the difference because he understood what the Chief was saying. Even if the town kept these vehicles with 80,000 miles on them only one more year in town service, they don't need to put anything into them. They can almost always be turning over vehicles, with no real cost to the taxpayer. It's not much to take the markings off and give it a quick paint job. Chief Gendron said it probably wouldn't even need that because the graphics can just be taken off. Selectman Jasper said that's what they have to be looking at. If they don't have to do anything to a car, why not take some of these and put them in service for a year or two; they could just automatically rotate them in and out for two years and save a lot of money, all the way around. They are not talking about big bucks, here. There are six cars being traded in for \$31,000. Chief Gendron said he's more than willing to work with Sean Sullivan, if that's who they are talking about. Mr. Malizia said they have an Assessing vehicle and some Community Development vehicles.

Motion by Selectman Jasper, seconded by Selectman Massey, to direct the Town Administrator to work with the Police Department and other departments to see if there are any vehicles that can remain in town service.

Chairman Maddox asked about the time frame, wondering about the turn-around time. Chief Gendron said that would mean he would have to hold back on some of the trades. Selectman Jasper said yes, and they'd just make up the difference out of contingency. Selectman Nadeau asked what vehicles the Chief was trading in. Chief said three 2005 Crown Vics, a 2000 Impala, a 2003 Impala and a 2001 Ford Explorer. The other department would probably want the Explorer more than anything else. Mr. Malizia agreed. Chief Gendron said the cruisers have a heavy-duty suspension. Selectman Jasper said a Crown Vic would be fine for Assessing. Mr. Malizia said they have a green Escort that still runs, but for the purposes for which they are talking about, the Ford Explorer would probably work out the best. Chief Gendron said he'd check out the trade-in amount for the Ford Explorer. If taking the graphics off is done right, you can't even tell they were there. The Explorer is equipped with an older light bar, so they'd just have to change the blue to yellow.

Selectman Massey asked if the \$102,911 was contingent upon turning in those certain six vehicles. Chief Gendron said if the town keeps the Explorer, and the trade-in on that was \$2,500, the \$2,500 would be taken from contingency to make up for it. Usually, the vehicles the dealerships are interested in are the police package vehicles because they get decent money, if the vehicle is in good shape. The Ford Explorer is not a police package; it's considered a specialty package, so probably the dealership wouldn't have any problem if the town decided to keep it, and it could be deducted from the trade-in price. He didn't think this would be a big headache.

Chairman Maddox said this sounded like a good plan, but they are doing this at the last minute, and wondered if the vehicle was at the end of its life cycle, and will cost the town more grief than it is worth. Chief Gendron said as long as they don't go a gazillion years with it, like they did the year the Police Department gave them all the SUV's. They drove them for 130,000 miles and were in tough shape. If they use them for a year or two like Selectman Jasper is proposing, they would be in good shape. Selectman Jasper said it would be a good idea for the mechanic at the Highway garage take a look at the maintenance records on the vehicle, give it the once-over and get his recommendation as to whether or not it is worth keeping. They do know they have a vehicle that isn't doing so well right now, so this sounds like the way to go, if it makes sense.

Selectman Massey asked when the Chief planned to purchase these vehicles. Chief Gendron said if the Board approves this tonight, and signs it this week, he would have to place the order in the following week and the turnaround is 60 to 90 days on police vehicles. They probably won't see them until June. Selectman Massey said in May, they should have a comprehensive vehicle replacement workshop, and included in that would be some of these ideas of how to recycle some of the high usage vehicles into the low usage areas, so they won't have to have this kind of a conversation every year. He highly recommended that the May workshop be devoted exclusively to the vehicle replacement program for the entire town.

Chairman Maddox said at some point, these vehicles will be taken out of service from the Community Development that they could possibly put into the pile. Chief Gendron said he has said all along that he would take that over and recycle cars through there. Just tell him how they want it done. Selectman Nadeau asked if the Chief wanted all of the vehicles that the Police Department gives to the rest of the town to be returned back to be used for trade-ins. Chief Gendron said yes. That's what he would have to do in order to make it work. The Police Department bought a brand new Lumina for Community Development, and Gary Webster got a new vehicle. He preferred that the vehicles would be given back to the Police Department and they will keep track of the mileage and condition. The town will get a

bigger bang for their buck when they go to trade it in. Every time they do this, they do better than the state, when the bids come out.

Vote: Motion carried 5-0.

Motion by Selectman MacLean, seconded by Selectman Nadeau, to award the bid for five 2007 Chevrolet 9-C-1 police cruisers and one mid-size SUV to the lowest bidder, MacMulkin Chevrolet, at the bid price of \$102,911, as recommended by the Chief of Police and Finance Director, and that the final cost may be adjusted, based on the previous action the Board.

Just as the final vote was being taken, Selectman Massey interrupted, saying he was comparing the base bid versus the trade-in value. After going over his figures, it was determined he made an error in his calculations. Chief Gendron said he'd final up the trade-in numbers tomorrow, after he talks to MacMulkin. He and Mr. Malizia will decide what vehicle Community Development will get rid of.

Vote: Motion carried 5-0.

B. Request by the Police Department to hold semi-annual blood drives at the Hudson Community Center on September 7, 2007 and on March 18, 2008. (OK'd by Dave Yates, who keeps the calendar.)

Motion by Selectman Jasper, seconded by Selectman Nadeau, to approve the request and waive the fee for the use of the Community Center, carried 5-0.

C. Accident Reports

Selectman Nadeau said he was going over some of the things that come across their desk. He didn't know what the Police do for accident reports with town vehicles. He already checked with the Road Agent for Fire Chief. He asked if the Chief reports it to the insurance company if it's over a certain figure, and at what point the Board is copied. Chief Gendron said that information is in his monthly reports, even vehicles with slight damage, under a section called Cruiser Collisions. He also tells the Board whether it was preventable or non-preventable and any action that was taken. Any town vehicle that is involved in a collision, regardless of the amount, is investigated by the Police Department. If it's over \$1,000 it is state-reportable. In each case with the Police Department, they notify LGC of every cruiser collision they are involved in, even though the town pays the first \$1,000. In that report, the Police Department advises that they fully investigated it, determined if it was preventable or non-preventable, and what action was taken, i.e., training or disciplinary action. If it is a cruiser collision involving personal injury, the HPD's policy is to bring in the state police to investigate it.

Selectman Nadeau wondered if the Board should have a policy that with any accident with any town vehicle over \$500, the Town Administrator would be notified. This is something the Board should be notified of, and not just by a report. Chairman Maddox said the Police Department investigates every accident with a town vehicle; Chief Gendron said yes, that's town policy. Chairman Maddox said then a copy of that accident report should be forwarded to the Town Administrator for distribution. Selectman Jasper said that could be put in General Read. The problem with putting something like that in a monthly report is that the Board didn't get the December report until February, so the PO's come in long before they see the information. Chief Gendron said at the end of the year, he's required to do very detailed analytical reports in a multitude of different areas and it takes an awful lot of time. On top of that, he got bogged down with other issues he was dealing with. That's why the December report was late. They normally try to get the reports out by the Board's second meeting of the month. Mr. Malizia confirmed he'd put a copy in General Read of the reports that are forwarded to the Selectmen's Office.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Ben Nadeau said Cabin Fever Day at the Recreation Center on Saturday was a success, with about 300 participants. There will be another Comedy Night in April, date to be determined. As soon as it is set, it will be on the cable scroll.

(Start Tape 2-A)

Shawn Jasper ...said he came away with an impression that he translated into something that was not accurate. He had it in his mind that they had asked (the Chief) to prioritize and through the discussions and questions, he (Selectman Jasper) came up with a list of priorities from the budget deliberations. It was as simple as that. The bottom line is the Board made a decision as to which positions to support. He also said people were welcome to petition, and those positions were petitioned. They are going forward to the warrant. There was no effort on anyone's part to ever stop those warrant articles to come through; there was no effort on the floor of town meeting to zero out the numbers. People may have read in the paper there was a case in Raymond or Epping where, at the deliberative session, the people struck out everything except the words, "To see," and the judge ruled that to be proper. This Board didn't try to do that, so there's no harm/no foul, in his opinion, except that he made a misrepresentation, based on what he remembered, and his memory was faulty and he, like all of them occasionally, forget things. He apologized for that. No ifs, ands, buts, or hedges. He made a mistake, but he didn't think, at the end of the day, it made any difference at all because there was no action that was being taken, based on the representation he made. People are going to be voting on election day, based on what they feel they can afford and what they feel the town needs. He also never said that the Board decided to go for two firefighters this year and two police... what he said was he would fully expect that if the two firefighters pass this year

that the Board would be looking at two police officers next year. He stands by that statement and, as he said at the time, that was his opinion and he can't speak for the other members, which will include one and maybe two. They never know what is going to happen in the future.

Another issue that is time to address is the Police Chief being allowed to speak. The Police Chief was allowed to speak to answer factual questions. When non-resident department heads are at deliberative town meeting, they are there to answer questions that the Board of Selectmen is unable to answer. That's why they are there. If a member of the Board can answer a question, there is no reason for a non-resident to speak. The Chief was asked by the Moderator what his personal opinion was. Selectman Jasper stands by the fact that that is not proper. As witnessed later on, when factual questions were asked, and the Board didn't have the answer, the Chief answered those. That's the proper way for things to go. Many years ago, there was chaos because the Board of Selectmen made decisions that department heads were constantly trying to find a way around the Board of Selectmen and they ended up with the town never moving forward because there was always internal conflict and chaos. That doesn't serve anyone well. The previous Board of Selectmen, the majority of which is still sitting, decided last year to go for a plan for four firefighters, and told the taxpayers that was part of a plan for 16 firefighters. Selectman Massey and Chairman Maddox said the correct number was 12, not 16. Selectman Jasper said he stood corrected, but they were talking about a four-year plan, and that was rejected. The Board of Selectmen had made a decision, at that time, that the priority was firefighters, and it was proper to stay with that. The Board decided to stick with that plan, but go with a fewer number. That was not looking down at the needs of the police, or anything else, but one of the common problems in town is that every time the Board of Selectmen goes forward with something and it gets rejected, and they go to something else, people wonder what happened to the previous need. This Board, quite properly, said if there was a need last year, and it was a priority last year, it still is a priority this year. It's not right to jump around. He has no question in his mind that there is a need in the Police Department. The question is how much can they afford. The Chief of Police came forward with requests for five personnel, and there is ultimately only one on the ballot. People will make their decision based on what they can afford. It's the Board's decision merely to recommend what they think taxpayers can afford because, at the end of the day, what is important to him is that people can afford to live in Hudson. One of the most common things they see and hear is people who are unable to pay their taxes, whether it be tax liens or people coming in, looking for relief. There are people who have a genuine paying their taxes, and they have to find the balance between what they need, what they have to have and what people can afford, and then they make a recommendation. On the 13th, the people are going to be able to look at the things the Board recommended and they are going to be able to look at the petitioned warrant articles, and decide what they are going to be able to afford—and that will be the decision of the town of Hudson. It's unfortunate that any of this has found its way to be personal, or anything else, because everybody in this process has had an opportunity to bring their issue forward to the voters.

Selectman Jasper said to be on the lookout for the e-mail address of the Chairman of Public Works, and get the message out to the state that they need a bridge. He's not crazy about a toll, but there's no other monies out there and if they want to have another way to get across the river, they are going to have to pay for it with a toll. He hoped the people were supportive of that and they can move this project forward, after almost 50 years.

Kathleen MacLean echoed Selectman Nadeau's congratulations to Dave Yates and the whole Recreation Department. The Cabin Fever Day was a very nice afternoon for lots of smiling, young faces with happy parents. It was a nice event and they do a very good job with that.

March 13th is voting day, so mark your calendar. It is coming up fast. There are so many articles on the ballot and everyone needs to have their say, so get out and vote.

Maybe they should keep this a secret, but Hudson people should really support a toll on the third bridge and say they don't care what it is because Hudson people aren't going to be using that bridge; they'll use their own bridges. It's everyone else that will use that bridge, so the toll can be whatever the other people want it to be. Nonetheless, Hudson will support the bridge because everyone else will stop coming through Hudson, causing a traffic problem. That's the whole point.

Ken Massey said he was the Board's representative to the Local Government Center's Committee on Government Affairs and there is a meeting next Friday, March 9 at 9:00 a.m. at the Concord LGC office. Unfortunately, he cannot attend, due to a previous commitment he can't break. The subject is a joint employer-employee working group on retirement. They want the two bodies to look at a draft proposal for that activity. It's the Municipal Advocacy Committee and the CGA. He asked if someone could fill in for him. Mr. Malizia said he would attend.

Selectman Massey said he will have far more at next week's workshop because there is a lot of engineering activity updates.

Rick Maddox referred to the handout tonight from Bob Robbins that came in today regarding the Lower Merrimack Advisory Committee that included two nomination forms, one for Jim Barnes and one for Bob Robbins, both of whom have been on the committee for a number of years. He will sign them, unless someone objects.

Motion by Selectman Massey, seconded by Selectman Jasper, to authorize the Chairman to sign the forms carried 5-0.

Chairman Maddox referred to *The Bridge*, saying he knew they were pestering the people at home, but here is a chance for something that hasn't happened in a while. This bridge has visibility and is in year 14 of the 10-Year Plan. It is off of the map, for the most part. With a toll, they can get this moving forward. If all of the people on Webster Street that didn't want to see the traffic coming down their street, and all the citizens who don't like sitting at Alvirne Chapel in the morning on 102, take down

the e-mail address that is on the cable scroll and send off a quick message, saying they support the bridge, that could make the difference. He thanked them in advance. Selectman Jasper thought the bridge has been on the 10-Year Highway Plan about 30 years, now, so you can see what good it is being on the 10-Year Highway Plan.

On Saturday, he attended the retirement party for Firefighter Benton. It was a very nice evening, a good get-together. They had the Fife & Drum Corps there. Inasmuch as the Chairman thanked FF Benton for his service, as a new Selectman, he was more than willing to explain some of the issues and he always had a big smile and a wave. He was a person that was always smiling around the station, somebody that you could approach. Chairman Maddox thanked FF Benton for his years of service and wished him the best in retirement.

In regards to Public Input tonight, they had a right to come in and tell the Board members they did wrong. When they did the whole workshop setup, he thought that they were looking for some guidance for what the departments needed. Did they say prioritize? No. Maybe they will learn from that in years to come. But there was an assessment the Board looked at and made the decisions make on the information presented. He couldn't remember all of that at the deliberative session, so there isn't anything that any member of the Board, or the Board as a whole, can do except try to explain what they remembered. It's on the ballot and (the voters) will ultimately make the decision.

10. **NONPUBLIC SESSION**

Motion by Selectman MacLean, seconded by Selectman Jasper, 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; (b) The hiring of any person as a public employee; and (c) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled, carried 5-0 by roll call vote.

Nonpublic session was entered into at 8:20 p.m., following a short break, thus ending the televised portion of the meeting. Any votes taken upon exiting from nonpublic session will be listed on the 3/12 agenda. Open session was entered into at 9:10 p.m.

▶ 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.

11. **ADJOURNMENT**

Motion by Selectman Massey, seconded by Selectman MacLean, to adjourn at 9:15 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