

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the February 6, 2007 Workshop**

1. **CALL TO ORDER** by Chairman Richard Maddox at 7:00 p.m. in the Selectmen's Meeting Room at Hudson Town Hall.
2. **PLEDGE OF ALLEGIANCE** was led by Chairman Richard Maddox.
3. **ATTENDANCE**  
**Selectmen:** Richard J. Maddox, Shawn N. Jasper, Kenneth J. Massey, Kathleen R. MacLean and Benjamin J. Nadeau  
**Staff/Others:** Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Ed Thompson; Jim Barnes, Planning Board Chairman; Leo Bernard; Doug Robinson, HLN
4. **DISCUSSION ITEMS**

Chairman Maddox announced that the fishing derby, sponsored by the Hudson Kiwanis Club, originally scheduled for February 4<sup>th</sup> was postponed until February 18 to make sure the ice on Robinson Pond was thick enough. He also announced that Senator Robert Clegg was unable to be present, due to illness.

**A. Recognize members of the Hudson Legislative Delegation**  
Chairman Maddox said this gathering tonight was a first. He then recognized the following individuals, inviting them to introduce themselves and to speak about the committees they were on, their length of service, etc.

**District 4 Executive Councilor Ray Wieczorek** said he was part of the Executive Branch of government. They don't make any laws, but they do confirm the Governor's nominations, approve any contract over \$5,000, all of the judges, conduct public hearings for roads and highways and try to do as much as they can for their constituents. If anyone has any difficulty with the Executive branch of government, he or she should call his or her Councilor, who will try to get some positive results for him or her. He was pleased to be present tonight.

**Representative Lars Christiansen** said he is in District 27, representing Litchfield, Pelham and Hudson and this is his 11<sup>th</sup> year, starting his sixth term. He spent five years on the Labor Committee and is on State and Federal, which is jurisdiction, jurisdiction, jurisdiction. They are working to kill Real ID in NH.

**Representative Mary Ann Knowles** said this is her first term, and is the former chair of the Hills Memorial Library Board of Trustees and is very interested in the bond issue coming up this year. She has lived in Hudson for 16 years and is very interested in the future of the town. She was happy to be present tonight to discuss future plans.

**Representative John Knowles** said he, too, was a freshman. He is on the Labor Committee, which has a number of interesting bills coming up. Tonight was a good opportunity to discuss some very important local issues. He appreciated being invited.

**Representative Robert Haefner** said he, too, was a freshman at the State House of Representatives and is a member of the Environment and Agriculture Committee, something he asked for and got.

**Representative Andrew Renzullo** said last term, he was on the Municipal and County Government Committee, but is now of the Resources Committee.

**Representative James Lawrence III** said this was his third term as a State Rep and he thanked the Board of Selectmen for inviting them to be present tonight.

**Representative Jean-Guy Bergeron** said he was starting his fourth term as a State Representative and serves on the Transportation Committee. He is also a Pelham Selectman, but is not running again in March. He thanked for the invitation tonight and hoped they could work together to address the concerns.

**Representative Jordan Ulery** said this is his second term. Last year he was on Criminal Justice and Public Safety. This year, he's on Ways and Means, Representative Jasper's old committee. He was pleased to be present, as there are a lot of issues they need to discuss thoroughly with the towns in their district to get resolved.

**Representative Russell Ober III** said he's in his second term at the State House and is on the Labor Committee again for the second time. If he's a familiar face, it's because he taught at Alvirne.

**Representative Lynne Ober** said she is the other Ober, and this is her second term. She was on Science and Technology last term, and began again this term. Last year, they made some significant legislative changes. They put through a bill to reduce mercury in this area and they got MTB out of gasoline. Recently, the House voted to add another member to the Finance Committee and leadership asked her to take that roll, so she left Science and Technology and moved to Finance. She is the prime sponsor on the bridge legislation and thanked the Selectmen for inviting them tonight.

**Representative Shawn Jasper** said he was in his seventh non-consecutive term. His first term was in 1985. During his first two terms, he served on the Judiciary Committee and the last four terms, on Ways and Means. This year, he

requested a change and is on Election Law, dealing with anything to do with elections. As a Selectman and a former town Moderator, he had a lot of knowledge in that area and is enjoying it.

Representative Peter Goyette was not present because he is still convalescing.  
Representative Rudy Lessard was not present.

Chairman Maddox said during the Primary, he didn't recognize half of the Representatives, and if he didn't, probably most of the people at home don't. That's why they were invited tonight, to take advantage of the cable access and discuss issues of concern to Hudson. He suggested going around the room again so the Representatives could talk about a bill they felt should be getting some attention, and how each of them could be contacted.

**Councilor Wieczorek** said their job is to represent their constituents. His home phone number is published, as it was even when he was the Mayor of Manchester for 10 years. It is 624-1655 and his cell phone number is 345-0304. Their meetings are now televised and are available for viewing on the web site, so people can see them in action. The smallest agenda he's seen is 72 items, but the larger ones address over 500 items. Councilors have to be prepared when they get to the meeting, having all of their questions ready so they can move right along. Every commissioner that has an item on the agenda will be there at the meeting, or will have a representative there, in case a question needed to be answered. He invited anyone that wanted to attend, because they are welcome. It is interesting. Tomorrow morning, the Governor will name Chuck O'Leary, the replacement for Commissioner Murray, who resigned. Their next meeting is in March, unless the Governor decides to bring his nomination forward sooner.

**Representative Lars Christiansen** said the State and Federal Committee deals with anything to do with interaction between the state and federal government. It deals with Veterans' issues, Washington, DC, the advocacy jurisdiction, such as Real ID. It is important to keep the republic as the forefathers envisioned it should be because federalism is trying to creep in. They have to be vigilant. He calls the Constitution the technical manual for legislators and judges, but the only part they understand is retirement. Selectman Massey asked what the status was of Real ID for NH was. Rep. Christiansen indicated that, for all intents and purposes, it was dead.

**Representative Mary Ann Knowles** said she is on the Labor, Industrial and Rehabilitative Services Committee and invited anyone who has any questions or input to contact her at [maryann@knowles.net](mailto:maryann@knowles.net) or at 880-4908. They've already had a lot of feedback on the minimum wage bill, which they haven't seen yet.

**Representative John Knowles** was also on the Labor Committee, so he didn't have much to add. His e-mail address is [jknowles@comcast.net](mailto:jknowles@comcast.net) or call him at 880-4908 and he'd be happy to hear from anyone about any issue at any time.

**Representative Robert Haefner** said the easiest way to contact him is to call him at home at 889-1553, but between Concord and three committees in town, he's not always there, or by e-mail at [bobhaefner@comcast.net](mailto:bobhaefner@comcast.net). He is one of the five co-sponsors of the bridge bill.

**Representative Andrew Renzullo** said his home phone number is 882-8962. If he's not there, leave a message and he'll get back to them. There is going to be a lot going on in Concord this term, including the education funding and parental notification. The Republicans are in the minority, so they are not driving the boat, but they are going to try to do their best to make sure the boat goes in the right direction. They'll fight against them, but expects to see some tax increases. He won't vote for any, but some people might. He has about 20 bills and is prime on about eight of them. One of them that has a good shot is the bill to help the seniors. In NH, there is an income tax on seniors, called the Interest and Dividends Tax. He put in a bill to increase the exemption from \$2,500 to \$25,000 so that people who are retired and use interest and dividends as their income won't be paying an income tax—at least, not yet.

**Representative James Lawrence III** said his home number is 594-8831. He is on the Science, Technology and Energy Committee. There is a large number of bills they will be hearing this session that deal with a wide variety of issues, including power consumption, electric rates, energy efficiency and environmental concerns. His objective is not to do anything that will negatively impact the rate payers. He didn't want electric rates to triple without good reason, and since he can't think of any, he won't support it. Funding education is also a primary concern, with pending Supreme Court cases, and making sure they do not increase taxes or have the addition of a broad based tax in the state.

**Representative Jean-Guy Bergeron** said his home phone number is 635-7005 and his work number is 635-7171. If he doesn't answer, leave a message and he will return the call. His e-mail address is [racing71@aol.com](mailto:racing71@aol.com). He is on the Transportation Committee, which deals with safety in transportation, whether it is car, truck, bus, school bus, air traffic, state police, etc. They introduced a bill a few days ago, having to do with new drivers. People who are blind and deaf are requesting that drivers not just yield to a blind person, but would come to a complete stop. Even if the blind person has a cane or a dog, some drivers don't recognize that and have driven over the canes and hit dogs. Dogs are now being trained to back up a few steps because some drivers are not yielding. One lady testified that as she was getting ready to cross the street with her dog, someone stopped and asked her for directions. A lot of drivers don't even recognize a blind or deaf person, who also have dogs. It is an interesting committee and for anything to do with safety, he'd welcome a call. People who have access to the internet can look at the bills on the web site.

**Representative Jordan Ulery** said his home number was 882-8979. He can also be reached at his e-mail address published on the web site at the state. Ways and Means has several bills that are going to be quite interesting and contentious. They spent the first several weeks of the current session undergoing some indoctrination on what constitutes a fair tax, how taxes should be proportionate and gradient to a person's income, and how a sales tax can be implemented in New Hampshire, and then they listened to Prof. Marcus Hearn, from Franklin Pierce, who is not a conservative professor, by any stretch of the imagination. However, apparently under the NH Constitution, they have a very strict rule. You can only tax property or franchises, and every tax has to be equitable and proportionate. This puts a great burden on the Ways and Means Committee because they have to determine what is property and what isn't, what class of property is able to be taxed, and what classes of property cannot be taxed. And all those taxes need to be equitable and proportionate. The Professor's comment regarding income tax was it is absolutely unconstitutional, which is good, but that leaves open sales taxes, and they have already had several proposals from individuals, suggesting that they impose a luxury tax on such luxury items as automobiles, and skiing, and watercraft, etc., and the list was rather long. Other bills are coming up tomorrow to discuss the allocation of funding of certain taxes to non-motorized water craft to help fund the Department of Fish and Game. There have been newspaper articles, indicating they're in some trouble regarding funding because of the various projects in which they are involved. He's looking forward to that spirited debate, which should be very interesting. There are numerous tax bills that are on the LSR (Legislative Service Request) list, or they looked as if they were tax bills from the titles. The bill numbers indicate another large number of bills with a very inventive (not discernable). Some taxes are required to pave the roads, fix the bridges, pay the cops and the firefighters. Nobody likes it, but they have to do it. It will be done equitably and proportionately, and they won't let the people get hurt, either the rich or, most especially, the poor.

**Representative Russell Ober III** said he was the third member of the Labor Committee, something he's never seen before—three of them from the same district and the same town on the same committee.

(Start Tape 1-B)

Give a microphone to an elected official, and they go on and on and on and on. Could you just tell us what you have to say? What he has to say is he's on the Labor Committee; they have several bills, one of which is the Public Employees' Right to Strike. They will probably put that in study committee and see if there is a way to end the threat of no solution when they have public employee contracts because, presently, when they reach an impasse, there is no real solution. The public employees can't strike, nor are there any ways to require both sides to agree to a solution. That's the conundrum the Labor Committee is under. They need to find out some way to end the bickering back and forth and get the contract done. They expect a right to work law that comes up almost every year. His view from any law they are trying to make into law is to look at the word "freedom." He is a big person in freedom; most of his students have heard that word in his class over and over. Choice. You make the choice. They should not make laws that fix it so you can't do what you want to do, unless you are impeding my right to do what I want to do. There was a letter in a local newspaper having to do with him (Representative Ober) on a particular bill, and the gentleman who wrote said, "70% of the people are on my side and only 30% of the people are on your side. If you are a representative, doesn't that mean you have to vote with that 70%?" No. He (Representative Ober) represents 100% of the people, so they need to find a solution where 100% of the people are, at least, half-way satisfied. This is not a democracy where you just out-vote everybody else. That means 51% wins every time. That's not what they are supposed to be about. They are supposed to be about freedom. Everyone can do as they please, as long as they don't interfere with the other person's right to do as they please. So, when you have a 70-30, he has to represent 70 and 30. If only 10% wants something, they have to work out a way so that 10% can be happy, too.

**Representative Lynne Ober** said three weeks or three months from now, if people forget who the Representatives are, they can go on the internet and Google "NH General Court," they will get the House web site and click on the link, "Who's My Representative," and type in Hudson and then all of the Representatives' names will show up. Click on a name and it will display his or her address, phone number, etc. Most of them are also in the phone book. Each Representative serves Hudson, Litchfield and Pelham, and Pelham has its own phone book. Whitepages.com is another source, if people remember their names. Being on the Finance Committee, today they saw one bill after another. They started at 9:30 and finished about 5:00 and saw unbudgeted requests equaling almost \$5 million, and those on the Finance Committee are no different than people at home. What's my income? That's how much I can spend. How am I going to decide to spend it? It's going to be a very difficult budgeting year. Every time a bill came up today, the question was, "Did you ask the Governor to put that into his budget?" and 100% of the people said no, they wanted to come to the Finance Committee and ask them for the money instead.

**Representative Shawn Jasper** said he was going to say the same thing Lynne did about contacting them. He is in the phone book and is on the town's web site. The main bill he has his eye on is the one they are going to talk about—the bridge. There are a number of issues coming up in election law, which will impact everyone. They are looking at a voter ID bills. There's a lot of controversy about that. A lot of people don't think anyone should have to present any identification at all when they go to vote, so that will be an interesting debate. He is pretty much coming down of the side that you don't necessarily need to have a picture ID, but you ought to have something from the town, showing who you are. In this day and age, with over 13,000 people on the Hudson checklist, it's pretty certain everyone isn't going to be known by the person sitting at the desk, checking people in. They heard bills that are dealing with whether they should have all the makings of a voter machine on the web, with the code and with detailed instructions on how to construct that machine and the company that makes them, giving up their right to their patent infringement and all those things, which would ultimately lead to hand counts. There's a lot of people who seem to think there is a tremendous amount of voter fraud, or potential voter fraud, by using the machines. These machines are very simple. You can't

access them by satellite and you can't mess with them during the voting procedure. They are tested beforehand. They had the Manchester City Clerk in today. People who work a lot of hours, and if they have to hand count, there's going to be a lot more mistakes, when you're working 15, 16 hours. He has witnessed that over the years. He calls it paranoia over the voting process, people not having confidence in the machines. Perhaps they need to do a better job with public education on that, and not go back to the stone age, where there is the opportunity for voter fraud. People can make simple mistakes, or purposely not do the right thing. It's going to be an interesting year.

Selectman Massey said, at the very minimum, the state could require these companies to place their source code in a bonded escrow account, a common practice in industry that has two purposes. The code is available if it has to be produced and if the company goes out of business, the source code is protected. These companies would be familiar with that concept. They, at least, ought to be asking them to produce some kind of test verification that would demonstrate that the machine is working correctly. He agreed with the paranoid thing.

**B. Discussion Items**

Chairman Maddox said there are a number of important issues that the Selectmen would like to work with the Representatives on to see if they can accomplish some things.

1) **Third Bridge**

Chairman Maddox said this is an important issue for Hudson. Traffic isn't getting any better. This morning, going through Nashua, there was a train. Traffic must have been backed up past Alvirne. They need to do something with that bridge, so he invited the prime bill sponsor, Rep. Lynne Ober, to explain the status.

Rep. Ober said the entire delegation met two, three times two years ago en masse with Carol Murray and her staff in support of the bridge. This has been the work of many people, not just one or two individuals. The Knowles weren't part of the delegation at that time, but that doesn't mean they won't help work on the bridge. At the last biennium, the bridge did not get through because they couldn't figure out a funding mechanism and it is now expected that it will take 14 years to implement the 10-year highway plan. The bridge would go from Litchfield, across to Merrimack, and it would be funded by a one-way toll, located on the Litchfield side, and it would be in effect until the bond required to build the bridge was paid off. It has a certain end date for the toll. The Litchfield Selectmen are more than happy to have the toll booth set up on their side. The Merrimack Selectmen, as well as the whole town, do not want to see another toll. They have a non-binding referendum saying they aren't going to support any tolls. They have better road infrastructure over there, but every exit has a toll on it, so this is a little bit of a heartburn with them. She worked with the Litchfield Selectmen and several people along the 3A corridor. They did some surveying and worked with the people over there who would be impacted and they would love to see the bridge go in. The bridge would have an exit that would come out the Highway 102 and would also dump people off on 3-A, or if people were coming down 3-A, they could go across to Merrimack. The Vice Chairman of the Litchfield Selectmen lives a little ways from where the bridge would come in. He drives across the bridge in Hudson, and over to Merrimack to Stanley Elevator and then, in the afternoon, back. He said it would be cheaper to pay the \$1 toll than what it is costing him to drive around. Whereas a toll might not have been viable 20 years ago, the cost of gasoline has made it much more so today. That bill has not yet come out of the legislative process, which has been very slow this year, so it hasn't been assigned to a committee and hasn't had a hearing date set. He talked with Litchfield Selectmen twice about getting together with the Merrimack Selectmen so they could have an interchange about what their problems have been. She's also talked with Nancy Mayville at NHDOT and asked if Ms. Mayville would get a meeting together, inviting people from Hudson, Merrimack and Litchfield to meet at a central location—maybe NRPC. That was before Commissioner Murray resigned, so she will let the dust settle this week and then will contact Nancy next week to see if any progress was being made on that. Although Commissioner Murray's resignation was not a surprise, it may have some impact on her staff. That's the status of the bridge now. They are hopeful with the funding mechanism in it and the fact that the funding mechanism has a definitive end date—when the bond that is issued to build the bridge is paid off—that they will be able to gain support from Merrimack, as well as the surrounding communities. The traffic in Hudson and Litchfield is horrendous, so they are pretty much in agreement on this side of the river. Chairman Maddox said as of today, they were looking to hold a meeting on February 28 and the town was offering the use of the Community Center.

Rep. Ober said she and the co-sponsors have signed off on the bridge bill, and it is in the process, which has been very slow this year. About half the bills have gotten numbers and moved to committees. Chairman Maddox asked what the Selectmen could do. They have already submitted a letter saying they'd support a toll. Rep. Ober said people should come to the public hearing and testify in favor of it, but until it gets a number and assigned, it won't be assigned a public hearing. It's important for all of the Selectmen in all of the towns support it. She is urging the Litchfield Selectmen to meet with the Merrimack Selectmen, who are having a problem with their own constituency about more tolls to see if they can make them understand the impact on Litchfield, who is directly impacted and agreed to have the toll on their side of the river.

Selectman Jasper said this bill was going to Public Works and is a mystery to him why it hasn't come out because the language was drafted by the DOT, so Legislative Services didn't have to do anything, and it was submitted in November. The bill should have been one of the first ones out of the hopper, so it's a mystery

for what they've done with this bill in the interim. They don't want to overwhelm the committee at the public hearing, but it's going to be important for town officials to be there. It will be very important for the public to be sending e-mails to the Public Works Committee. Go to the state web site, then to Public Works. Go to those members. Take the time. Put the list together now. Talk about the mileage you have to go to get to Merrimack. Talk about how long it takes to traverse that mileage. Talk about the delays when you hit the train and what it costs in gas, that you are more than willing to pay the toll. Merrimack is going to come out against that, saying they don't want to be impacted by another toll. Actually, they are really not. It's not like they are on the highway and they have to get off, as they do now. They have the same option after the bridge is built that they do now. They can come into town this way, and then go around to go back into Merrimack and never pay the toll. The committee is going to need to understand the loss of productive time that people in this community are facing by not having a bridge, and they need to think about how many thousands of cars each week are sitting, idling, contributing to the pollution. Those are the things. The House is going to be relatively receptive to this because they are willing to pay for it. He's sorry the Senator isn't present tonight because the Senator is on record as saying he will not support the bridge if there is a toll. He wants to see land sold to pay for it. Without the tolls, it's around \$70 million, but the Senator has not been able to propose where the balance of the money would come from, even if they sold \$30 million worth of land. There is a lot of surplus land around the state, but the people in the north country are not going to be receptive to selling that land to build a bridge down here. This has been talked about since he was born, but they still haven't got a bridge. The only realistic way to do it is to explain how they are going to pay for it, not start a whole argument about what land to sell and how much it's worth. They need to get it built. The next reality is that once they do get the bridge to 102, they need to all be cognizant of the fact that they will then need to build the leg from 102 to 111 because there's a lot of traffic that comes down through the middle of town right now to get across the bridge. If they can go the other way, they will. That means Greeley Street and Robinson Road are going to become heavily impacted by this, so they need to immediately start on figuring out how to build the next phase. That's not as important right now, but it needs to be in the back of their minds that they can't wait for that crisis to develop. When the construction starts on the bridge, they need to be working on this other project. Senator Clegg is going to be a big factor in this, when it gets to the Senate, and it probably will get to the Senate. People in town need to indicate they are willing to pay a toll to get across the river. Senator Clegg is concerned that, years ago, there was a toll that was proposed on Sagamore and people didn't want to pay it back in the 70's, so another mechanism was found for funding, and while that got built rather quickly, Hudson is still waiting. It's time to stop worrying about that \$1, with gas over \$2 a gallon and just think about the time. It's an extra half hour either way, if you are lucky. How much is your time worth? Rep. Ober said some people have said it's 36 miles one way, and it takes about an hour to traverse around. If he pays the \$1 one-way toll, it's a huge savings.

Chairman Maddox asked Rep. Haefner, who is on the Environmental Committee, if there were any CMAQ funds that could help them out. Traffic sitting on 102, backed all the way up to Nashua, is spewing exhaust. Rep. Haefner said he didn't know the answer, but he'd find out. Rep. Ober asked if Chairman Maddox was still attending the CTAP meetings. Chairman Maddox said no; he wished they just give the town the money and stop feeding them. Councilor Wieczorek said to put up a light is one thing, but for big help, like putting in a bridge, the money isn't there. There isn't that much money in those programs. Tomorrow, after the Council meeting, he has a GACIT (Governor's Advisory Committee on Intermodal Transportation) meeting and they will be talking about those two items. Those things are scheduled five years ahead, so it's not as if they say they're going to get money next year. He didn't think there would be any help there, at all. In fact, he thought the 10-year highway plan would be longer than 14 years because the cost of building the roads is going up so quickly, it could go out further than 16 years. Last year, when they were discussing the tolls at the Council level, Merrimack doesn't want to pay the tolls, but when they were put in, and there's no way to get in or out of there without paying a toll, they were put in because the people wanted to open up the land so they could have increased development, and that was the reason they did it. Even though Merrimack is not his council district, he's been getting a lot of mail from people saying they don't want to pay. This has been going on for about 15, 16 years. At DOT, there's a convoluted method of accounting that he can't understand, as they looked at how they were going to separate that stuff. It seems as though they are still a long ways away from having those paid for because a lot of that is with turnpike funds, and there are a lot of strict requirements that have to be followed, if turnpike funding is involved. There will be people buying bonds, so it can't be run like a family corporation. It gets very, very involved. The toll might have some merit, but he didn't know what the toll would be by the time it was built because the cost of materials is going up all the time. Look at where they started with I-93, and look at where they are today, and that number is going to go up. Relative to the bills coming out slowly, one of the reasons is because there are so many new people over there, they can't get their arms around the situation yet, so it will be awhile before they get a lot of these things organized. There is a lot of catch-up work that has to be done.

Chairman Maddox said that's why the Board wanted to hear his perspective, which is different from the Legislators'. He asked if there was anything else the Selectmen could do, other than start sending e-mails.

(Start Tape 2-A)

Councilor Wieczorek said it's critical for the people to attend the hearings so they can be on record for what they want to do. If the people who reside in the community aren't going to participate, why is anyone else going to give the town assistance? If the townspeople aren't going to be interested, why should anyone else

be? It's critical to have people make an appearance there, and give their reasons. He heard some very good ones outlined tonight. That will go a long way with the committee to pushing it through. Once it's through the committee, there's the Legislature to deal with, and then the Senate—so, there's a lot of work that has to be done, but if they don't start, it will never get done.

Chairman Maddox asked what kind of notice the town would have. Rep. Ober said as soon as the bill comes up, she would e-mail him. She checks every day to see if it has come out. Selectman Jasper said they might get their calendar on Saturday and the bill could be scheduled as early as the following Tuesday. They could go on-line and get the calendar earlier. Sponsors will get noticed via mail, but that comes at the same time as the calendar. Rep. Ober said that's why she uses the on-line facility. Selectman Jasper said that gives her only an extra day. Rep. Ober said it gives her a week, and she's had a week's notice on all her bills, so far. Chairman Maddox said they need to have staff on notice that they should be attending this, so as soon as she finds out, he'd like her to e-mail him and the Town Administrator, who will share it with all the Board. He loves to use vacation time to attend Legislative meetings. Selectman Jasper said Police and Fire should be put on notice to start thinking about this because the gridlock in town during the week is a critical factor in how it affects responses and things of that nature. Public safety is going to be important because when traffic is all tied up and they can't get across the bridge with an ambulance, that's critical.

Rep. Bergeron said CTAP is a program instituted by the DOT which includes 26 communities that will be impacted by the I-93 project. Pelham was told that there was \$15,000 set aside to be used for planning. CTAP has a steering committee which has been in existence for about two years, and for the last year, they've been working on all of the plans. They are now asking the communities to form their own little committees. The state wants to work with the communities, rather than work independently. All of the communities are having problems with transportation, no matter which way they go. He suggested getting resolutions from other communities—Pelham, Salem—everyone is coming from different directions, and when construction starts, it's just going to get worse. Pelham's planning director, Jeff Garwin, is on the steering committee. It's a great program and there's some money there to help all of the communities get help from NRPC. The town's don't have to pay for that. It's coming out of the \$3.5 million that CTAP has. It's never too late to try to get the word out to all the communities and see if they will support it. He asked what everyone thought about that.

Chairman Maddox asked if the Pelham Board of Selectmen could send a letter in support of the bridge, realizing that Pelham citizens are stuck in Hudson. Rep. Bergeron said absolutely, and that's why he was looking forward to tonight's meeting, to find out the direction because it affects all of the towns. Chairman Maddox said maybe they can go out to the other towns, Londonderry, Windham, Derry, and see if they would also support the effort by sending a letter from their boards, saying their citizens would appreciate being able to cross the river to get to Route 3 faster. Rep. Bergeron believed Steve Williams at NRPC would assist, and other RPC's, depending on how far they wanted to go. He could get the word out and they'd probably get a great response.

Chairman Maddox said in a couple of weeks, they were going to have an election. He wondered if it would do any good to have a petition in support of a \$1 toll on a bridge, that people could sign. Selectman Jasper said he'd be careful about talking about a specific amount, and just leave it as "a toll," because the toll would be to support the bonds. He had suggested \$1, but in view of Councilor Wieczorek's remarks, it might be \$1.25 or more, but the petition might be a good idea. He was also thinking about the web capabilities, and it might be possible to do something like a web petition, and put up signs, telling people to go to www and sign the on-line petition to support the bridge from Litchfield to Merrimack. There are an awful lot of people coming from an awful lot of communities, who are affected. If they could show people signing up from Londonderry, Derry, wherever, that would have an impact. He didn't know how easy that would be to do. If people who are stuck in traffic saw the signs, they might be prompted to do that. A petition at the polls would be great, but one on line. Chairman Maddox asked Selectman Massey to research that capability on the IT side. He asked the Legislators if they had a petition with 1,000 signatures, if that would carry more weight and if that was something they should spend energy on. Rep. Ober said yes, that would carry more weight.

Selectman MacLean asked if the petition could be sent to the other towns, too. Chairman Maddox said he could call the Chairmen of the other boards and see if they can get something moving. It's a matter of finding someone to stand there and shepherd it. He will be committed to another project, so he can't do it that day. The citizens have said repeatedly this is something that needs to get done. As soon as he hears when the bill is coming out, he will send out a memo to staff that is keyed up and ready to go. Between the Selectmen, town employees and other communities, they might need a bigger room. Rep. Ober said that would be great.

2) **Circumferential, South Corridor**

Chairman Maddox would like to see a bill put forward that said any community that has had land purchased by the state for a highway that has not been built for over 30 years, the community could buy that land for \$1, if it was to be used for a roadway. He just wanted to get something moving forward. He understands there is no money in the coffers to build what was going to be a divided four-lane highway of the same genre as the turnpike. If they were to build a town road that would take traffic from 111 to Lowell Road and put it on to a road designed to take a lot more traffic than Wason Road or Bush Hill Road, is that something the town

would be some support for, and not have to buy the land at market value to be able to address a situation that the state has put them in. They built their zoning around it. If you are outside the circumferential, you need certain building requirements. They have used that as a point of demarcation for zoning and how they will, hopefully, set up the industrial land, and any number of things. Yet, that land sits there and has never become a roadway. He thought maybe it's time to start building it as a town road to deal with the traffic and he was looking for input.

Selectman Jasper thought the idea might be too broad to bring the whole state into something like that. This is probably an area where Councilor Wieczorek could be of help. He's heard that the Commissioner has already packed up her desk and left, and if the nomination for Chuck O'Leary is going to lay on the table, they won't have anyone for awhile. He gave a copy of a letter to Councilor Wieczorek that the Board of Selectmen sent to the Commissioner in November, relative to this issue, that has not been responded to, to date. Selectman Jasper said they need some help from Councilor Wieczorek to get this moving forward. With the Green Meadow project coming forward, this becomes more of an issue, but they still need to be looking at building this road because the town is going to grow, one way or another. They have to get the traffic off the back roads. They've had conversations with Commissioner Murray relative to the ability for the town to build a road there. She felt it would be much easier for the town to be able to build a town road there, rather than the state building a state road because the requirements to go through the Army Corps of Engineers, EPA, and everything else are much different than for a town road. The question is how the town gets to use it, whether they buy it or lease it or whatever; they need the Councilor's help in getting an answer from the DOT, who has not responded in over two months for the town's request for help.

Councilor Wieczorek said he is meeting tomorrow with GACIT, and the Commissioner is a member of that committee, so somebody is going to have to be there, but he didn't know who it was. Where they have to start is with the DOT because it isn't that easy, just to get the land for \$1. The Legislators are always making laws that will determine how much a piece of property will cost. There is a law that prohibits selling land for \$1, and maybe they'd have to pass another law. He's not in that branch of government. Selectman Jasper said they've been to the DOT and can't get a response. Councilor Wieczorek said somebody is going to be at the meeting tomorrow from the DOT. He heard the Commissioner had already cleared out her desk, but the resignation isn't effective until March 1. He didn't know what the Governor was going to be with the nomination he's putting in; they can't have two Commissioners. He will get a response to the letter, but the DOT is where the town has to start because they can lay the groundwork and outline what has to be done. Otherwise, they'd be like a blind man driving down the road. They need a road map to tell them what to do.

Selectman Jasper said that letter was in response to a letter that came from the Commissioner. He had met with her in Litchfield, following a meeting that had taken place there. He had explained what the town was interested in. She had said if the town was interested in working towards that goal, to put it in writing. They did, and there was back and forth, which stopped in November. Councilor Wieczorek said that's where he comes in and he'll see what he can do. He will get a response for the town.

Selectman Massey said his expectation is the road would be similar to the Camp Sergeant Bypass in Merrimack, limited access with no curb cuts and that particular road has only three traffic lights at three intersections. In this case, they are talking about five intersections and a bypass from 111 to Lowell Road. Some preliminary investigations have been done and it appears that it is feasible to build a two lane road.

Rep. Renzullo said if it was possible to get the land from the DOT, is it also possible, as part of the Green Meadow development, as part of the mitigation, that the developer put the road in. Chairman Maddox said he was a mind reader. They are trying to set up a mechanism that, if that development does happen, the town would have their ducks in a row and be able to do that. This is sitting out there and they've designed the whole town around it. He knows about the law saying state land has to be sold for fair market value, but this has been sitting there for almost 50 years. Something should be able to be worked out.

3) **Benson's**

Chairman Maddox said Hudson used to be known as the home of Benson's, but that went away and the state bought the land as mitigation for the circumferential. That land has just been sitting there. The town would like to start doing something with that land for recreational purposes.

Selectman Jasper said the town has been in negotiations with the state since 2000 and there has been a lot of back and forth issues. They were making progress, but when he came back on the Board in March, he found that it had been sitting there for two years, and it appears to be the town's fault for not responding to the state's last proposal. Last May, they finally got a meeting together with an attorney representing DOT, Nancy Mayville and the town attorney to go over the sticking points, of which there are a number. The state has committed to doing a number of things. They kept saying that even if the town put millions of dollars into the historic district, the state could take the land back at any time. The state did agree that, while this is upland, they've never be able to turn it into wetlands, so they would need to do a survey, the actual metes and bounds of the land the state will never touch in the future. Apparently, that has still not happened. The town's attorney has just contacted the state again, asking for an update because DOT was, again, dragging its feet.

There are other issues the town feels are reasonable that have to be addressed, but the very few buildings that are left are deteriorating very rapidly. Since the town doesn't own them, it's not going to put money into fixing them. The town needs to get the state moving on this project. The Historic Commission is another problem, with a big old barn out there, and the town hasn't heard anything back on that. The town cannot maintain that barn to the standards of the National Historic Register; it's a white elephant. The town wants to be able to preserve the barn and do a nice job with it, but the standards might be too strict. The state can keep it, but it's going to end up in the foundation because the state doesn't have any money. They can't get anyone off the dime, so the town will need some help, particularly with no commissioner. Even when Chuck O'Leary gets in, he won't be permanent, so the town needs help from someone other than him.

Councilor Wieczorek said he heard that there were some legal problems, but he didn't know on which end. When anyone corresponds with the state on this issue, they should make sure he is copied, so he will know what is happening with it, and then he will be able to monitor it, too. He can coax the town along to get an answer. There were also some environmental issues that were encountered, so it wasn't an issue to deal with. It has, however, been quite a long time. He asked for a copy of the last letter sent to the state. Selectman Jasper gave it to him, which was dated just last week. Things at the DOT will be a little bit up in the air, but Chuck O'Leary has been around and knows what is going on up there. He will dive in with both feet to get things up to snuff, but he will be there only long enough to finish out Carol's term, and then they will appoint somebody else. He suspects the Governor will be looking for someone who is going to satisfy him, relative to operational and financial ability. The Governor will take his time on that because it's a critical position.

Selectman Massey agreed with Selectman Jasper that there were two or three sticking points on what the state wanted the town to agree to on a P & S agreement. One of the most critical was the right to buy back the land at any time for the price the town paid for it. Nobody in their right mind would ever sign a contract like that, given what they know they'll have to spend on the property. Over the last four years that he's been on the Board, they've had conversations with DOT, some with the Commissioner, some with Nancy Mayville, and in each case, the town has responded to the state's language in the agreement with what the town thought would be the appropriate changes, and waited for the state's responses. On at least two occasions, the town was told by either the Commissioner's office, or Nancy Mayville's office, the attorneys in the Attorney General's Office has changed hands and it was switched to a new person. The town received another answer from the state in '04, which was the same thing—"we'll get back to you within the next four weeks," and it just keeps going on and on and on. Every time the town asks for a status report, it is told there is a new attorney on it, or there are other legal issues, such as the contaminated material on-site, which is the subject of a state-initiated litigation against the contractor. The town has continually tried to get a resolution, but continually runs into a brick wall, with nothing coming back out of the state. He is beginning to think the state has an issue with the property, and they'd just as soon the town "go away." If that is the case, he'd rather know it now and be done with it. The letter the town's attorney just sent last week was a follow up to a letter he sent a month or two ago, in which he asked the state to get back to him. It seems like the correspondence is going into a black hole, so if Councilor Wieczorek can do something to help the town so there can be some finality, it would be appreciated. Councilor Wieczorek said he'd get the town an answer. The town may not like the answer, but he will get one.

(Start Tape 2-B)

Chairman Maddox asked Mr. Malizia to take that as an action item, to send Councilor Wieczorek the last couple of letters, so he has some flavor for that.

Rep. Christiansen said if there is a letter talking about the pollution, and he remembers where the contractor trucked stuff in, that would be something to start with. He can walk right across the street to the Attorney General's Office and dump it on their desk to get an answer of who is working on this. Selectman Massey said the latest word the town had was the case has a court date of February 19<sup>th</sup>. Rep. Christiansen said then the state has to settle that before the town can do anything. He was in yesterday and picked up his stuff this morning. If he has a copy of the letter, he'll go investigate. It's only a walk across the street. Selectman Jasper said that was part of the discussion they had with the state. There are a couple of old landfills there, and that's one of the reasons the town said if they develop the metes and bounds, the state could transfer the land in pieces, or since the state has the responsibility for any environmental concerns, the state can just keep those concerns and just transfer the land. They didn't necessarily have to wait until that was solved because there was a way for them to assume liability. It's just been a matter of feet-dragging. In the meantime, buildings have been vandalized, some of the roofs are missing, and it's a shame that things are getting worse and worse by the day, and the town can't get anywhere.

Councilor Wieczorek said the state isn't too interested in taking on a piece of contaminated land. Selectman Jasper said the state already owns it, fee simple. They want the town to take it and dress it up—make a park out of it, and the town isn't going to take on the state's environmental liability. Councilor Wieczorek said he'd like to see the background on this to see where it is going, and he will try to shepherd it along.

Chairman Maddox said Benson's would be nice to have; the circumferential would be very nice to have, but the third bridge is critical. Councilor Wieczorek asked who his contact person was. Chairman Maddox said Town Administrator Steve Malizia.



4) **Retirement System**

Selectman Jasper said the town came up with a retirement system many years ago, which was favorable to everybody at the time, but as the system has aged, it has cost more. People are retiring younger and living longer. Unfortunately for the taxpayer, the way the system works, the rate that the people in the retirement program pay is less than Social Security, and it is adjusted every couple of years, and all the adjustment is put on the taxpayers. This year, on the town's side, the impact was \$200,000 and something like \$300,000 on the school side—a half million this year, just in retirement, and no change for the people paying into it. The system is something like \$2 billion in the hole, right now, and that is all going to come out of the taxpayers. It is a serious problem that needs to be worked on. The employees' union has a lot of influence in the State House. He worked on this problem when he was the Majority Whip some 14 years ago with Kay Ward, and they wanted to say that Group 2 employees—police and fire—that instead of retiring at 20 years, anybody who is hired from that day forward would have to work 25 years before they could retire. It didn't affect anybody in the system, at that time. There were people who wanted to lynch him. He was at the Fire Station one day and a crew from Nashua came over for coverage, and other guys in the crew had to pull the guy away from him; he was ready to physically assault Selectman Jasper, and it didn't have anything to do with him. He recalled that at the polls at that time, the Fire Chief and Deputy Chief wouldn't speak to him, or even look at him, and it didn't even affect them. This is a very emotional issue for people, but it's something they have to deal with. Even Massachusetts doesn't do this. In Massachusetts, when you work an overtime shift, or a detail shift, that does not go into the base that you collect your retirement on. In NH, all the detail work and overtime work go into the base they collect their retirement on. Since it's for the three highest and best years, people who are going to retire put in as many hours as they possibly can during the last three years that they work. That means that money has never sat in the system and never collected interest. In 1993 or 1994, when he worked on this, at the time, excluding the interest that the money the employees had put in, the money they had actually put into the system, they got back in 18 months, on average. After 18 months, it was just the interest and then the taxpayers. The system was broken then, and they couldn't get it fixed then. It is a train wreck now, and they have to deal with this. Councilor Wieczorek said it is going to be a very, very serious problem. He is thankful he's not dealing with that.

Selectman Massey said currently, the retirement system board is made up of labor unions and the only people that are excluded from membership on that board are cities and towns, so the very people who have a strong say in the financial cost of this product have no say at the table. The NH Municipal Association is sponsoring a bill, but he didn't know the status of it. Apparently, they've been filing it every year, to allow at least one member of that board to be on the cities and towns. Every year, the vested interest that make up that board defeat it. He asked the Legislative Delegation to help the town and, if it doesn't happen this year, see that it happens next year, that a member of the towns and cities be on that board. It just doesn't make sense that the people who are paying for a large part of that program aren't at the table, talking about the program itself.

Rep. Lynne Ober asked if Selectman Massey knew if that has been given a bill number yet this year. Selectman Massey didn't know. At one point in time, Nashua was going to be the major sponsor of the bill, but at the last minute, they backed out of it. He and Selectman/Representative Jasper were on the distribution list from the LGC, but he hasn't heard from them recently, so he'd have to go back and check on it. He will follow up on this and get back to her with that information.

Rep. Christiansen said, with the detail work, much of it is for the contractor or a business, which is not contributing to the retirement benefits. The detail work is billed to the contractor, Verizon or whoever, and they pay whatever the cost is. It shouldn't be a town obligation to pay for detail work that is going to add on to retirement benefits. He thinks the contractor should pay the bill. Selectman Jasper said towns have rates that include the retirement contribution, so when Verizon, or whoever pays, they are paying that. The problem is that it really is a lot of money in the last few years, and isn't allowed to build up over a steady 10-year period. Retirement seems to come all at once. Chairman Maddox said this is an issue that is important to the town, something that all the communities are facing. The bill won't get smaller.

5. **Public Hearing in Londonderry on Route 102**

Selectman Jasper said the DOT is holding a combined public hearing on February 13 in Londonderry, about Route 102, which they are going to be working on. The problem is they invited the Hudson Selectmen to attend, but it's a regularly scheduled meeting night. He asked Councilor Wieczorek to pass along that when the DOT is inviting a governing body to a public hearing, they ought to have the courtesy and common sense to check and see if that's a regularly scheduled meeting night of that body. The Board can't be there on the 13<sup>th</sup> because they have their own meeting, one that was scheduled a year ago. Councilor Wieczorek said he couldn't agree more, having been on both sides. They definitely should contact the governing bodies to make sure there is no conflict, which they do run into, once in awhile. That happened in Bedford last month. That's a very valid concern.

Rep. Lynne Ober said the Board might want to send a representative or a department head to that meeting. She was at the Selectmen's meeting in Litchfield last night and they are going to go to that meeting and will be asking for a stop light at 102 and Page Road. Chairman Maddox hoped the Chairman of the Planning Board might be willing to attend to represent Hudson.

Chairman Maddox thanked the Representatives and Councilor Wieczorek for coming to tonight's meeting. The Board was appreciative to be able to share their concerns and frustrations. The people at home got to see the Representatives and find out how to contact them and hear what the various interests are. He hoped they would be invited back at a later date, maybe at the end of the session to hear how things worked out. He then declared a recess at 8:47 p.m., while the Legislators left the room. The meeting reconvened at 9:00 p.m.

**C. Designation of Selectman to speak on each Warrant Article**

<u>Liaison</u>	<u>Article</u>
MacLean	9 Construct New Library
Jasper	10 Highway Union Contract
Massey	11 Administrative and Support Union Contract
Maddox	12 Police Union Contract
Jasper	13 Wage and Benefit Increase for Non-Union Personnel
MacLean	14 Wage and Benefit Increase for Town Clerk/Tax Collector
Jasper	15 Wage and Benefit Increase for Supervisors of the Checklist
MacLean	16 Wage and benefit Increase for Full-time Employees of Hills Memorial Library
Dilworth/MacLean	17 Operating Budget
Nadeau	18 Hire two Firefighter/Paramedics
Maddox	19 Police Dispatcher
Nadeau	20 Replacement Fire Engine
Maddox	21 Capital Reserve Fund for Police Bullet Proof Vest Replacement
Maddox	22 Capital Reserve Fund for Police Duty Weapons Replacement
Nadeau	23 Feasibility Study for Community Center
Massey	24 Sewer Utility Capital Reserve Fund
Jasper	25 Revised Veterans Tax Credits
Jasper	26 Revised Property Tax Exemption for the Elderly
Jasper	27 Revised Property Tax Exemption for the Disabled
Jasper	28 Revised Property Tax Exemption for the Blind

Mr. Malizia will get copies of the contracts and additional information to the appropriate liaison for Town Meeting.

**D. Other Business**

**1) "Liaison Reports" Item on Workshop Agendas**

Chairman Maddox stated that next month, there will be an additional item on the workshop agendas, "Liaison Reports." Each Selectman will have three, four minutes to highlight their departments, keeping the rest of the Board members up to date. For instance, the vector truck is broken down, or computer issues. He will talk about the Police Department's digital radio system, which is in place. A Homeland Security grant will pick up 18 additional portable radios so each officer will have his or her own, on a secured channel. This is something the whole Board should be aware of and know what is happening so if someone asks, each of them will know about it. This information can be condensed and sent to the Budget Committee so they are kept apprised of what is going on. If there is an issue with a piece of equipment in the Fire Department, Police Department, Highway, Cable Committee, etc., the liaison can present a short, brief synopsis of it—a snapshot view of the past month. Selectman Massey said he's been doing that right along. Chairman Maddox said he was trying to keep it to the workshops so that information could be sent off to the Budget Committee, so things won't come as a surprise to them during budget season.

**2) Getting the Word out on the Trash Contract**

Selectman Jasper said it's important to start getting the word out on the new trash contract, particularly before they go to the polls, because there is an awful lot of misinformation and misunderstanding about what the town is doing. People are getting angry for no reason. They need to talk to the new contractor to see what kind of information they can get out quickly. People are thinking they are paying \$75 for a second trash can, but they are not. He wondered who gets that \$75—the contractor? Is the contractor getting the actual cost of the trash barrel and is the town getting the rest? They need to get that information. What they are getting is the right to dump more trash over five years than anybody else for \$15 a year. People are upset that they can't get any recycling bins now. Well, they are available at the highway garage, but people don't know that. No, they don't have to have 25 little bins to recycle; they can use their current trash barrels, or they can buy new ones, and they can get stickers to indicate what is in each barrel—paper, mixed, etc. People are going to be able to get rid of more than that one barrel; it just needs to be separated. He constantly hears people complain their taxes are going up, so now that the Board comes up with an idea to help reduce the tax bills, people still get upset about it. He hears, "live free or die," but he didn't know how the ability to throw away as much trash as one wants relates to that. This new contract is environmentally and financially good management and that information needs to get out there. People need to know what items they are going to be able to recycle. Some people worry that they are going to have to buy a new trash barrel if theirs gets stolen. No, if the trash barrel disappears, they just have to pick up the phone and say their trash barrel has been run over and broken, or it has been stolen, etc., and they can get another one. These are the things people have to understand.

Selectman MacLean said the trash barrels are all numbered and assigned to an address, so if it does get stolen and used somewhere else, then the thief may be easy to find. She suggested that Corcoran could supply some printed material for display at Town Meeting on Saturday, as well as a tote. She'd be willing to bring her cruddy old trash cans and put some stickers on them so people can see how the recycling can be separated. Then people can see how great it can be.

Selectman Massey asked about the membership on the committee. Chairman Maddox said that would be on the Selectmen's February 13<sup>th</sup> agenda, and there were several applicants. Mr. Malizia said there is a whole section on the web site on recycling guidelines that has been there for some time. Chairman Maddox agreed that this is something that they need to move on. He will call Kevin tomorrow and see if he will call Corcoran to move something along for Saturday. There has been enough misinformation out there and people aren't sure what the plan is. The Board didn't do this to make things difficult; they were trying to be fiscally responsible. Information needs to start being disseminated to the citizens.

(Start Tape 3-A)

3)

**RiverPlace is dividing the Town**

Selectman Jasper said kudos to Town Planner John Cashell for recognizing that RiverPlace might divide the town because that is just what is happening and they aren't responding to it in an effective manner. The Board has copies of three letters that have come in. People are angry. Some are angry at the Board of Selectmen. Mainly, people don't understand what the legal ability is when it comes to stopping development. They don't understand that people have a constitutional right to develop their land. The Board can't just say there will be no more development. They are already under somewhat of a development restriction, that when someone does a subdivision, they can only get so many permits a year, which many people have felt is not constitutional, but it has restricted the number of houses in Hudson, it has made for a better market in Hudson for all these years, so it has worked out well. Whether it would withstand a constitutional challenge is not is questionable. But clearly, they can't dictate there will be no permits issued in town. They can do that if the schools are overcrowded, or the fire and police can't respond to the calls by putting a moratorium on, but they have an obligation to build up the services to handle those calls and those capacity issues. The Town of Hudson is not in that situation. With RiverPlace, there may come a time when they have to look at this and the Planning Board may say this is premature and scattered and the town doesn't have the ability to handle it, but there is no way the Planning Board or the Board of Selectmen have the ability to say no. One letter calls for a special town meeting to say no to these two projects, but that is not something the town can legally do. The town cannot tell the Friels they cannot develop their land. There is even question whether or not the town would have the legal ability to rezone the whole town to nothing but residential, with no more commercial, industrial or retail. In looking at the court decisions, they have to provide for a mix. To be able to say no to certain types of growth in town cannot be done effectively. The people don't understand that and they are getting angry with the Selectmen and at the Planning Board. The Board needs to take the time to respond, not in a legalese manner, but in a brief and concise manner. There was a court case dealing with this, and here is what was decided, without going into all the details. They have an obligation to educate people because people don't like it. He'll be the first to say that in his perfect world, the town would have stood still in 1964. He was five years old and he loved the town. Nobody else would have come in after 1964. It was a great little town. It's nice to think they could stop things. Would he like Green Meadow to stay a golf course? Sure. There is an easy way for the town to have done that—try to buy it from them; come up with a like offer. They could do that on every single parcel of land available in town, if that's what people are willing to do. But they tried to do that with the Nadeau Farm, and it got shot down. They tried to do that with a \$2 million bond just to have money available, which wouldn't have paid the tax stamps on this piece of property, but people have said no, they didn't want to pay for it. If they don't want to pay for it, they can't stop it. They can do some sort of zoning, but they can't say only houses are going to be built on Lowell Road. Who in their right mind is going to build a house on Lowell Road today? There are people still living there, but it's very difficult for those people to sell their houses for somebody else to raise a family there. They have to deal with reality, and that is just no longer the reality, and there probably never was a way to stop it. People have to stop being mad at the Selectmen. They're not inviting people to come into town, but they have to deal with the legal reality of what the courts have said, what the land rights are and they have to try to make it as good as they can. John Cashell was right. They have to find a way to keep this from tearing this town apart, and that tearing apart is starting, and the Board is not responding. Chairman Maddox said Selectman Jasper has started.

Selectman Massey said the Planning Board asked the attorney to draft a document to be used on that. The initial draft is too couched in legal terms and by the time people get to the second paragraph, they will be lost. They need to rethink how the document is drafted and, as soon as it is available, he would expect that they would send it to the newspapers, post it on the web site, in the FAQ's section of RiverPlace, etc. He is under no illusions that there will still be people who will think they can arbitrarily tell somebody what they can do with their land. When people talk to him about this, he asks them, "If I told you you could only sell your house to this type of individual, which would mean you could only make this much money, what would you tell me?" And they say no one is going to tell them who they can sell to and for how much. This developer, with the exception of one item, is permitted in this zoning ordinance. The other interesting thing is, and he got the information from the Town Administrator last week, state statute says that the town can have a debt no more than three percent of your assessed valuation. The town has about \$2.5 billion in assessed valuation, so that translates to a \$75 million debt that the town could handle. The town currently has about \$20 million

for the water debt and because of the way that debt was bonded, it was bonded as a general obligation bond, not as a water rate secured bond, so it does go against that 75. He's heard all kinds of prices that have been placed on this RiverPlace land acquisition and there's no way, given the \$75 million debt limit, that the town could think about purchasing that land. At every opportunity that the town has been asked to purchase land, the warrant articles have failed, just as Selectman Jasper has said. Every time they have an opportunity, they have to continue to re-stress that they do have to follow the law; they do have the ability to control and tell a developer that they can and can't do something, and the two most recent examples are the proposal to put a gas station at the corner of Executive and Lowell Drive. The applicant wanted a left turn, north bound, on Lowell Road. The Planning Board said no because it was a traffic safety issue. If they wanted a curb cut, it would be south bound only and it will be designed such that it would be impossible to make a left turn. The applicant said if he couldn't have a left turn north bound, he didn't want to build, and the Planning Board said, "that's your decision." There was a case where the Planning Board looked at the problem and agreed the developer could put a gas station there, but they attached certain conditions, and if the developer didn't comply, he couldn't build what he wanted to. There are a couple of others that are pending right now that the Planning Board is taking the same position with the applicants. They put more on the property than is justified, for the size of the property. Lastly, one of the things the people in town ought to be paying attention to is there is a concept in the world called tipping point, which says that at some point in the evolution of something, there comes a point where things change because of that tipping point. Lowell Road, in the minds of the Planning Board, has reached a tipping point. He thinks the Planning Board is going to be paying even more attention to the growth on Lowell Road in terms of its impact on traffic. All of these things go along and he thinks Selectman Jasper is right. They need to continue to keep in the face of the town what they are all about and what their roles and responsibilities are.

Chairman Maddox said the pendulum swings. A number of years ago, they wanted more business and welcomed them with open arms. It's now probably swinging the other way. Also, this is a real wakeup call for the town of Hudson. The people who want to keep it like 1964 are aging and not as vocal. The citizens have had a number of opportunities to spend money and they have not, so maybe this is the wakeup call. A little of that anger needs to be able to say they need to do something, whether it be something with zoning or to actually start to buy development rights or any number of things that, over the years, just didn't work. Maybe people are going to see that this needs to be done, that monies need to be spent. He agreed they need to do a better job. He looked at what the lawyer gave them for a handout and he was dozing after the third paragraph. They need to look at that to see what they can give to the citizens so they can understand what the Board has been talking about tonight.

5. **ADJOURNMENT**

*Motion by Selectman Nadeau, seconded by Selectman MacLean, to adjourn at 9:25 p.m. carried 5-0.*

Recorded and transcribed by Priscilla Boisvert, Executive Assistant

**HUDSON BOARD OF SELECTMEN**

\_\_\_\_\_  
Richard J. Maddox, Chairman

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Shawn N. Jasper, Vice-Chairman

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Kathleen R. MacLean, Selectman

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Kenneth J. Massey, Selectman

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Benjamin J. Nadeau, Selectman