

HUDSON, NH BOARD OF SELECTMEN
Minutes of the January 9, 2007 Meeting

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

2. **PLEDGE OF ALLEGIANCE** led by HCTV camera operator Rita Normandin.

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; Sean Sullivan, Director of Community Development; Dave Yates, Recreation Director; Tom Sommers, Town Engineer; Toni Weller, Library Director; Arlene Creeden; Jane Bowles; Vinnie Russo; Linda Kipnes; Teresa Stewart; Lynn Booth; members of the Ottarnic Pond Cooperative; Ashley Smith, Telegraph; Son Hoang, Union Leader

4. **PUBLIC INPUT**

There was no response when Chairman Maddox asked if anyone wished to address the Board on any subject at this time.

5. **CONSENT ITEMS**

Motion by Selectman MacLean, seconded by Selectman Jasper, to accept the consent items, A-D, carried 5-0.

A. **Assessing Items**

Current Use Lien Release, 10 and 8 Copper Hill Road, w/recommendation to approve.

B. **Licenses & Permits**

Outdoor Gathering Permit by Kiwanis Club of Hudson to hold an Ice Fishing Derby on February 4, 2007 from 7:00 a.m. to 2:00 p.m., as recommended by town staff.

C. **Acceptance of Minutes**

- 1) Board of Selectmen's Minutes of December 26, 2006
- 2) Board of Selectmen's Minutes of January 2, 2007

D. **Calendar**

1/10 7:00 Budget Committee @ *Community Center*
1/10 7:00 Planning Board in CD Mtg Rm
~~1/10 7:00 Benson's Committee in BOS Office~~
1/11 7:00 Budget Committee Public Hearing @ Community Center
1/11 7:30 ZBA in CD Mtg Rm
1/11 5:30 Sewer Utility in BOS Mtg Rm
1/11 6:30 Recreation Committee @ Rec Ctr
1/15 MLK Day—Town Hall closed
1/16 7:00 Cable Committee in BOS Mtg Rm
1/17 6:00 NRPC hearing C-TAP--CD Mtg Rm
1/17 5:00 Water Utility in BOS Mtg Rm
1/17 7:00 Library Trustees in BOS Mtg Rm
1/18 7:30 Budget Committee in BOS Mtg Rm
1/22 6:30 School Board in BOS Mtg Rm
1/23 7:00 Board of Selectmen in BOS Mtg Rm
1/24 Filing period opens
1/24 9:00 a.m. Joint Loss in CD Mtg Rm
1/24 7:00 Sr Council on Aging--BOS Mtg Rm
1/24 7:00 Planning Board in CD Mtg Rm
1/25 7:00 Open Space in BOS Mtg Rm
1/25 7:30 ZBA in CD Mtg Rm
1/29 Last day to post the Warrant
2/2 Filing period ends
2/3 School District @ Community Center
2/10 Town Meeting @ Community Center

6. **OLD BUSINESS**

A. **Votes taken after Nonpublic Session on December 26, 2006**

Chairman Maddox read the following motions into the record:

]Motion by Selectman Jasper, seconded by Selectman MacLean, to seal the nonpublic session minutes carried 5-0.

]Motion by Selectman Nadeau, seconded by Selectman MacLean, to adjourn at 10:06 p.m. carried 5-0.

B. **Ordinance 06-03, Hazardous Condition Ordinance**

This item had the requisite two public hearings, one on December 12 and one on December 26. It is now before the Board for adoption.

Motion by Selectman Jasper, seconded by Selectman MacLean, to adopt Ordinance 06-03, Hazardous Condition Ordinance, as recommended by the Fire Chief, carried 4-1. Selectman Maddox voted in opposition.

C. **Warrant Articles**

1) **New Library Warrant Article** *(withdrawn from the agenda.)*

Town Administrator Malizia said when he drafted this memo for the agenda last Thursday morning, the Budget Committee, at that time, had a “not recommended” on this warrant article. Last Thursday night, the Budget Committee changed their recommendation in favor of the article. This item would have allowed the Board to include additional language in the article that would allow the bond, should it pass, to not wreak havoc with the budget, due to the 10% limitation rule, which comes into play when they have appropriations that are voted, but not recommended. The Budget Committee’s action to recommend this warrant article may render the additional language moot. This Thursday, the Budget Committee will be casting their final recommendations on the articles and it is his understanding that the Budget Committee will recommend this article. He felt it was important for the Board to see this and hear what may or may not occur. Chairman Maddox said the Budget Committee could change their vote, and they would be in this same position again. Selectman MacLean asked if the Board would have another opportunity to revisit this, if the Budget Committee’s recommendation changes. Mr. Malizia said at the language could be amended on the floor of the deliberative session. Should the Budget Committee vote not to recommend, after the deliberative session, the Board’s opportunities would be exhausted, at that point. Selectman Jasper said they certainly can’t put that language on now, so if that were to happen after the deliberative session, they would have a problem—but he didn’t think that would be the case. He spoke with a member of the Budget Committee relative to his comments, and Selectman Jasper thinks there will be one more vote for recommendation, so he thinks it is pretty safe, at this point. Chairman Maddox said this was just informational, at this point.

2) **Public Hearing on Bonding for the proposed Warrant Article for the construction of a new Library**

Selectman Jasper said before the public hearing is opened on this, it’s important to note that the hearing on the bonding is not intended to be a discussion of the proposal for the library. It is a discussion on whether or not they should bond, the length of the bonding, and questions relative to the mechanism, the interest rate, etc., not whether or not the actual library is a good idea or anything like that. They will have the ability to speak to that at the Budget Committee’s hearing on Thursday night.

Chairman Maddox opened the public hearing at 7:10 p.m.

Jim Limpert, 27 Alvirne Drive, was in favor of the bonding, but was concerned with drainage issues associated with the construction process. In May 2006, runoff from Alvirne and Hills Garrison caused his property to be flooded because the containment pond was inadequate and overflowed. His side of the street, that abuts Alvirne, flooded. With the new library and more parking, there will be even more runoff. Chairman Maddox said Mr. Limpert would have to sign up for the Planning Board portion of this because one of the requirements is they cannot have more runoff after construction than they did before. Mr. Limpert thought it would be a moot point because the containment pond was already inadequate. Selectman Jasper said in May 2006, the town experienced what exceeded a 100-year storm, so it’s not the norm. The Planning Board is the appropriate place to bring up those issues.

Jane Bowles, 57 Hazelwood Road, said she was pleased to be speaking on the bond for the new Hudson library because after many, many, many years, there will actually be a warrant article for a new library on the ballot in March. Coming to this point is a reflection of the collaboration over the past year between the Trustees, the Board of Selectmen, and staff at Town Hall and the Library. Working together, they have brought forth a viable proposal that addresses previous concerns about size, location and cost and will provide a library facility that will serve all of Hudson residents for years to come. The location of the new library is 194 Derry Road, near Alvirne High School and will be more than twice the size of the existing facility and will solve many existing problems of space, parking and accessibility that currently exists. It will also operate much more efficiently, with all library services consolidated under one roof. The costs included for the new library are all inclusive. It covers the furnishings, as well as the construction, a question that has come up in the past. Like schools and police stations, a library is a major capital improvement project that will continue to serve residents for years after it is built. Issuing bonds is the way to finance such significant expenditures so they do not present an undue burden on taxpayers, or cause spikes in the tax rate. By spreading the \$3.6 million cost of the library bond over 20 years, the average yearly cost to the taxpayer of a \$250,000 home in Hudson would be \$27.60 averaged over the life of the bond, or about 53 cents a week. With very little current bond debt, it seems that the time is right for the town to issue this library bond that will enable construction of such a long overdue capital improvement project. She thanked the Board for its recommendation and hoped the voters will also support it in March. In response to the previous speaker, the site plan review for the library is scheduled for the February 14th Planning Board meeting. The abutters will all be notified and that will be the time to raise those concerns.

Dan Fusconi, 14 Butternut Street, said he was against the building of a new library, as there is the question of fiscal responsibility. As a senior citizen, he wanted to speak to them. He didn’t think it was proper to spend nearly \$4 million for a library in a town the size of Hudson and increase the tax rate. He asked if they weren’t jumping the gun and wondered if it was a sense of pride to have a new library. What is driving them? He is within a mile and a half of the Nashua library, which is a good library and sufficient for him, and it is a lot

less money and responsibility. It's time for the towns and cities of NH to consider sharing their library resources with surrounding towns. Each town having their own library is great, but can they afford it? This new bond will have to be paid for, which will cost them all money. He already finds it difficult to keep up with the present tax rate and he may be forced to move out of town, if more increases are in the offing. If the building of the library has been OK'd, he'd like the people to talk to their neighbors about it, rather than ram this thing through to the point of no return and think about an alternative measure. Chairman Maddox said this facility has not been approved yet; it still has to go through the deliberative session and then the residents will vote on it in March. Tonight's hearing was to discuss the bonding mechanism. Mr. Fusconi thought discussing paying for the library was a little premature and a waste of time doing so before they've even decided whether or not to build it. Chairman Maddox said the Board was simply complying with the RSA's.

Arlene Creeden, 45 Cottonwood Drive, spoke in favor of this \$3.6 million bond. It adds approximately 27 cents to the tax rate, averaged over the life of the bond and it is well worth the investment. Many people she has talked to, who goes to Nashua or Windham to use their libraries, have said it costs \$50 for outside patrons. It would be to the advantage of Hudson residents to have this library built. She encouraged people to think of all the advantages the library does offer. With a larger library, they will be able to offer more services and they are more than willing to have people tell them what services they would like to see because this library belongs to everyone in town. Chairman Maddox said there was an article in the Telegraph today, and the numbers reported were different, so he asked Mrs. Bowles to speak to that. Mrs. Bowles said they were the same numbers, but the Telegraph reporter based her numbers on a \$300,000 average home, while she (Mrs. Bowles) used a \$250,000 home and they were talking about 20-year bonds, not 50 years. On a 20-year bond, it is 15 cents per thousand and in the 20th year, it is eight cents per thousand. The average over the life of the bond is high at the beginning and low at the end. For a \$300,000 it comes out to be an average of 11 cents per thousand every year, or \$33 per year for 20 years and 64 cents per week. Her numbers were for an average home of \$250,000. The \$45 that was quoted in the newspaper article was for what it would cost a \$300,000 homeowner for the first year. The difference is in the assessed value of the home.

Chairman Maddox thanked her for the clarification and closed the hearing at 7:23 p.m.

3) **Review of Warrant Articles**

Chairman Maddox stated that Selectman Jasper asked that this item be included on the agenda, in light of the Budget Committee's recommendation on each of them. Selectman Jasper said overall, the Board did well with their warrant articles with the Budget Committee, but a few of them did not fare too well. Given all of the irons in the fire and the length of the warrant, the Board might want to reconsider some of them.

Article J – Police Records Clerk

Motion by Selectman Jasper, seconded by Selectman MacLean, to withdraw Article J, Police Records Clerk, from the warrant.

Selectman Jasper said they just received a petitioned article for two police officers. The Board had asked the Chief what his priorities were, and he said the Records Clerk, but he was not able to convince the Budget Committee, and now they have this petitioned article. Given the Budget Committee's position on this, he thought the Board should withdraw Article J. Chairman Maddox said the Budget Committee's public hearing on the article wasn't until Thursday night. Selectman Jasper said tonight was the Board's last opportunity to remove an article, and the Board cannot not recommend their own warrant articles. Chairman Maddox said the Budget Committee might change their vote to a favorable recommendation, but Selectman Jasper didn't think that was likely. Selectman MacLean didn't think the Budget Committee would recommend this one, either, but she was in favor of the motion for the same reasons Selectman Jasper stated.

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

Article L – Assistant Town Clerk

Motion by Selectman Jasper, seconded by Selectman Massey, to withdraw Article L, Assistant Town Clerk.

Selectman Jasper said the only positive vote at the Budget Committee meeting was from the Board's liaison. He had spoken in favor of this article when it came before the Board of Selectmen, as a favor to Cecile, who is an elected official, but with absolutely no support from the elected members of the Budget Committee, this is a waste of time. Cecile had her opportunity to make that pitch and there were some problems with her argument, talking about needing one more person because she was losing people. That didn't quite wash before the Board of Selectmen and, apparently, it didn't fly with the Budget Committee.

Vote: Motion carried 3-2. Selectmen MacLean and Nadeau voted in opposition.

Article O – Associate Planner

Motion by Selectman Jasper, seconded by Selectman Massey, to withdraw Article O, Associate Planner.

Selectman Jasper said Article O failed on a 3-7 vote at the Budget Committee meeting. He was in the audience that night and heard Mr. Sullivan say that, if it were not for the Green Meadow plan, he would not be going forward with this, at this time. Selectman Jasper said he was not in favor of this to begin with because they need to get the fees in line first. They shouldn't be asking the taxpayers to support this, if it's driven by development. According to what Mr. Sullivan said, it's driven by Green Meadow. Tonight,

hopefully, the Board will be awarding a contract for an Associate Planner for a six-month period of time, although they still don't have the Green Meadow plans.

(Start Tape 1-B)

Selectman Massey said he had originally supported this article because he thought they needed this position, but he has learned the fees they would be collecting from the developer is in the six figures. In fact, the monies used to pay for this contract worker are going to come out of those fees. He believes that if they are going to do it for this year, they should continue doing it for next year, and that's where that money should come from—from the fees that the developer is going to be providing. His vote does not indicate they don't need the position; he's simply indicating that the funding mechanism is going to be different.

Chairman Maddox said this article needs to go on the ballot. They hear people say they need to stop growth. One of the mechanisms is to have sufficient internal staff to be able to deal with all of the plans—and they are getting larger and more complex. Even if Green Meadow is removed from the equation, there is enough work for another full time planner. Without doing something today to help keep the Hudson character is the wrong way to go. This should be put on the ballot to give the voters the chance to put their money where their letters are. The voters should decide this issue.

Selectman MacLean thought the Budget Committee would approve of this position, under a different name. They felt the need was there, but it was more clerical in nature and didn't rise to the level of this salary or title. If the Board wanted to reconsider either the title or the amount, the Budget Committee may reconsider. Chairman Maddox said they were talking about different unions. Mr. Malizia said there is a position in the Supervisors contract called Administrative Assistant that pays at the same rate as the Associate Planner position. In the Admin & Support union, there are Administrative Aides, which are different positions and the pay is significantly less.

Selectman Jasper said there hasn't been enough evidence to show they need another clerical person and he didn't get that impression. He didn't think anyone but the Budget Committee felt that way, either. He would not be in favor of creating another clerical position, which hasn't been asked for and that wouldn't solve the problem that Mr. Sullivan came forward with. They all know that the Planning staff needed to handle Green Meadows will be provided through the fees. At this time, the case has not been adequately made to go to the well from the taxpayers. There may well be a need to have another Associate Planner, which they did have but, in the reorganization plan, Mr. Sullivan was the one who recommended eliminating that position—and he and Selectman Massey were on the Board at that time. In the interim is the time to look at the work load and the fee schedule. With everything else they are asking the voters to approve, he didn't think they should ask for this one, as well. They have proposed a lengthy, expensive list of articles to the voters already.

Chairman Maddox asked what came first, the chicken or the egg. Do they get the Associate Planner and then raise the fees, or do they raise the fees and hope they get the Associate Planner? Selectman Jasper said that was very simple; they come together. The Board of Selectmen look at a fee schedule and approve one. If they want it to be subject to approval by the voters, the Board can do that. They are in control of the fees. They can say that if this passes, the fees will go up on July 1. If it does not, the fees will not go up on July 1. That's a non-issue. Chairman Maddox said he knew that, but he was trying to cleverly sneak it in as one so everyone could see that the Board could fix that problem of not getting enough money in. If they get this person, the Board can certainly raise the fees to cover that. Selectman Jasper said however, because it's not budgeted, the impact goes on the tax rate. If they were to do it the other way, it's like an offsetting revenue. They can budget it in and then if the revenue doesn't come in, the expense doesn't go in. That's what's missing in this equation. There's no offset to the taxpayer, which has been his primary concern all along.

Selectman Massey said if a warrant article fails at the town election, then no monies may be spent on that article. If this was not on the warrant, would they still be able to use contract help next year, the way they are doing it this year? Several responses said yes. Mr. Malizia said there is a planning purpose in the budget. Selectman Massey said if it fails at the ballot, would they be able to use monies to do it, even for contract labor? Selectman Jasper said that's an interesting question and he didn't have a definitive answer, but if they hired someone called an Associate Planner, it would be subject to challenge. Chairman Maddox said tonight, they were going to hire a contract planner, not a town employee and not an Associate Planner. Selectman Jasper said if this goes forward and fails, it is subject to challenge. There isn't anything to challenge right now because there wasn't anything on the warrant that failed. He wasn't saying whether they would win or lose, but it does muddy the water. Selectman MacLean said she was going to vote to keep it on the ballot because the Planning Board is already bogged down. This is an opportunity for all people, complaining about growth in the town, to have their say.

Vote: Motion carried 3-2. Selectmen Maddox and MacLean voted in opposition.

Article AC – Convert 2 p/t positions to 1 f/t Administrative Aide

Motion by Selectman Jasper, seconded by Selectman MacLean, to withdraw Article AC Conversion of two part-time Positions to one full-time Administrative Aide.

Selectman Jasper said this one failed at the Budget Committee on a 3-7 vote. While he did support that, he shared some of the concerns Chairman Maddox had in that they are taking what now amounts to 60 hours a

week of part-time help and converting it to 40 hours a week. There was an argument made about the continuity. At this point, they have not shown to be a problem with continuity. The person who was in that position was there for a number of years. There is an interesting question, as to whether or not the Budget committee can make a recommendation on this article. Mr. Malizia said traditionally, the Budget Committee hasn't made a recommendation on articles that don't raise and appropriate an amount. Selectman Jasper said if this motion fails, they should consult with the Town Attorney. It is confusing because there is an amount mentioned, saying the \$44,000 is already in the budget. Chairman Maddox said the Board was told that some of that work would have to be contracted out because of the lack of hours, so there is an impact. It just isn't showing up in this line item. Mr. Malizia said there is an impact with every one of the articles, such as the exemptions, and the Budget Committee doesn't vote on those. Selectman MacLean didn't think the Budget Committee should make a recommendation on this article, but then they all voted. Selectman Massey said if the motion fails, it would be appropriate to obtain a legal opinion.

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

Article AD – Feasibility Study for Community Center -- Chairman Maddox said this article also was not recommended by the Budget Committee, but they weren't going to withdraw this. Selectman Massey said he expects when this article passes in March, it will be incumbent on the Board of Selectmen to write a request for quotation, with specific requirements for which this money is going to be spent, and it should be done in time to put a contract out in early July or August in order to have something ready for the ballot next year.

Article P – Hire 2 Firefighter/Paramedics -- Selectman MacLean said this article received a favorable recommendation by the Budget Committee, but there was some confusion. She wanted to clarify that the backup justification stated that the request was for two full time people at Robinson Road, but the article is to increase the fire fighting force by two.

Selectman Jasper said he watched that discussion and he didn't agree with that take on it. He believed what the Board did was agree to hire two firefighters to go 40 hours a week at Robinson Road station. Now the two that are hired may not be the ones going to Robinson Road station. Ultimately, down the road, they may make a decision to absorb them into the work force for the day shifts, and whether one goes to Burns Hill and one to Central is another matter, but the intent was not to hire two that would go on a rotating shift. This was a different idea that would require a sidebar to the contract to allow for this. He did not just intend to hire two more people to go on a regular shift. When it comes to hiring, the only thing he will vote for is to hire two for 40 hours a week, who will be stationed at Robinson Road station. If that is not the case, he is not in favor of just adding two people to the Fire Department. This is specifically to man the station. The backup documentation was correct, and that's what the Board needs to be clear about because that's the intent.

Selectman MacLean said that's the intent and why the Chief wants two more people, but it's worded differently in the warrant, so they just wanted to make sure there was no confusion—that these two had to be there, and that was it. Chairman Maddox said he agreed with Selectman Jasper, and why he supported that article. They need to try it, but he didn't want to tie their hands and say they would always be a Burns Hill if it isn't feasible to have people up there. They have to have some flexibility, but it was to put people on a day shift. Selectman Massey said that was his recollection, as well. Selectman Nadeau asked what happened if the sidebar with the union doesn't go through. Several people responded that they wouldn't be hired. This article authorizes the hiring, it doesn't require them to.

4) **Petitioned Warrant Articles**

a) **NH Climate Change Resolution**

Chairman Maddox invited Linda Kipnes to the guest table to speak on this article and explain the appointment of a voluntary energy committee. Ms. Kipnes said this article has been proposed in nearly all the towns in New Hampshire, sponsored by the Carbon Coalition, with the expectation that the various towns will implement it differently and not all of the things in it will be done by every town.

Motion by Selectman Massey, seconded by Selectman Nadeau, to forward this article to the ballot, with a favorable recommendation.

Selectman Jasper said he opposed recommending this because New Hampshire is not a referendum state. Putting these issues on for guidance and to send a message goes against what the state government is about. NH has the largest legislative body in the state legislature and the third largest legislative body in the English speaking world and there is ample opportunity for the Legislature to pass resolutions to forward and perhaps they do that too often. He is concerned that if they start clogging up the ballot with these referendums, which nobody outside of Hudson is going to hear or care about, they will set a precedent that they are now going to have more of them coming forward. The more things there are like this on the ballot, the less likely people are to come out and vote for the real issues. He didn't disagree with anything in here, and it would be foolhardy not to be concerned about what's happening to the climate, but they need not look any further than Colorado

to know it's not a nationwide situation, but something certainly is going on, which is out of the norm, but this isn't the way to accomplish anything and it just harms this form of government. He didn't mean any disrespect to those who forwarded this, but this is not a referendum state.

Chairman Maddox said this calls for the establishment of a national program requiring reductions of US greenhouse gas emissions while protecting the US economy and the creation of a major national research initiative to foster rapid development of sustainable energy technologies thereby stimulating new jobs and investment. He didn't think the Board of Selectmen would have much impact on either of these items, so he had to agree with Selectmen Jasper. Maybe they could do #3, which is getting a voluntary energy committee to look to see if there are some things the town and school can do to reduce their energy dependence. It may be better to have this as a petition on voting day, with 2,000 signatures from the people in Hudson, sent to their legislators, to see if they can do something at that level.

Ms. Kipnes believed that was the intent, as a symbolic gesture, if all of the towns in NH have this on the ballot. It is an overwhelmingly important issue and has not been adequately addressed. Selectman MacLean said the fact that it is a petitioned article means it is going to the warrant anyway, so she isn't going to say no, and it's important, so the Selectmen should be in favor of it. Selectman Nadeau said on the floor of Town Meeting, they could amend this article by striking out the first two items, leaving in the third option.

Vote: Motion carried 3-2. Selectmen Maddox and Jasper voted in opposition.

b) Hire Two Police Officers

Chairman Maddox recognized Teresa Stewart, who said this article was presented to the Board by the Chief of Police in October. The Board, at the time, decided not to pass it on to the warrant. Many of the viewing audience thought, as Selectman MacLean had said, it was important to give the voters a chance to vote on it themselves. Taking Selectman Jasper's advice at the time, they decided to petition it. In the documentation presented by the Police Department, they have not hired any new patrol officers since 2001, which the town has grown and the crime rate has been going up. Passage of this article would mean a 15 cent increase on the tax rate. On October 14, 2006 there was a robbery at the 7-Eleven. Two days later, that individual killed a Manchester police officer. The night shift is operating pretty slim on some nights. She asked the Board to recommend this article and send it to the ballot.

Motion by Selectman Jasper, seconded by Selectman Massey, to not recommend this article.

Selectman Jasper said this will obviously go forward and the voters can decide, but he sees no reason for the Board to change their position. Selectman MacLean said her position was to support it, so she won't change her position. This is important enough for the voters to have their say.

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

7. NEW BUSINESS

A. Request by GFWC Hudson Junior Woman's Club to waive fee for use of Hudson Community Center on March 24th for the annual Bunny Breakfast and at a date to be determined for Candidates' Night.

Motion by Selectman Nadeau, seconded by Selectman MacLean, to waive the fee for the GFWC Hudson Junior Woman's Club for the use of the Community Center on two occasions, as requested, carried 5-0.

(Start Tape 2-B)

B. Public Hearing on Ordinance 07-01, Installation of Yield Sign on Chase Street

Director of Community Development Sean Sullivan said on November 6, 2006 the Highway Safety Committee met and has recommended placing a yield sign on the traffic island on Chase Street, as you take a right hand turn from Central Street on to Chase Street. The vehicles that come down Fulton Street, cross Central, on to Chase, much like the vehicles coming down Central, taking a left on to Chase, have the right of way. The vehicles taking a right on to Central would have to yield.

Chairman Maddox opened the public hearing at 8:01 and asked if anyone in the audience wished to speak on this. There being no response, he closed the hearing.

Selectman MacLean said when her daughter got her license, taking a right on to Chase was the worst, so that yield sign is very important and she hoped to work. Selectman Massey said that was an interesting intersection and most people making a right turn think they have the right of way when, in fact, the car already in the intersection has it. Maybe the sign should say, "Yield on Right Turn," so it is clear what the yield is for. Chairman Maddox thought the sign would be placed at the point of the peninsula, so it would be obvious it was a right turn yield. Mr. Sullivan said Mr. Burns would use discretion when placing the sign. The Chief of Police's primary concern was the people taking a right hand turn.

Selectman Massey said if it's not done properly, people going westbound on Central Street, intending to go through that intersection, are going to see the yield sign and someone may pull out from Chase Street, making a left turn on Central Street, thinking they had the right of way. He hoped when the sign was placed, it was done in a manner so there is no ambiguity, that it's a yield on the right turn. Mr. Sullivan said he'd relay that to Mr. Burns.

Selectman Massey said making a left turn from Chase on to Central is always problematic because people don't always use their blinkers, indicating they are going to make a right hand turn on to Central and you don't know if you should pull out. The people that make the left turn on to Chase from Central Street have the right of way, so the sign makes sense. The people making a right hand turn on to Chase don't always realize that. The only other concern he has, and it has difficulties with the placement of the house that is there. People that are making a right turn on to Chase, into the St. John's parking lot, come around the corner at speed, then slow down. Typically, when you turn a corner, your blinker shuts off because you've straightened out, but you are almost immediately making a right turn. Maybe the should look at whether or not "No Parking" should be enforced in that section of the street. It would require some conversations with the homeowner because their driveway is almost right in the right of way. Mr. Sullivan asked if he'd like him to bring that up to the committee. Selectman Massey nodded.

Motion by Selectman MacLean, seconded by Selectman Jasper, to adopt Ordinance 07-01, Installation of Yield Sign on Chase St, as recommended by the Highway Safety Committee, carried 5-0.

C. Hudson Youth Baseball Proposal for Greeley Field

Town Administrator Steve Malizia said he received a letter from Ron Falcone of the Hudson Youth Baseball, seeking permission to initiate the approval process to install lighting around Greeley Field, and included lighting diagrams. He is looking for permission to go to the Planning Board to begin the approval process, but he wanted to solicit input from the Board of Selectmen first.

Mr. Falcone, 16 MaKinney Drive, was recognized. Selectman Massey asked if this was going to be funded with private money. Mr. Malizia said yes. Selectman Massey was in favor of this, but thought the Board would need to hold a public hearing to accept this donation. Chairman Maddox thought so, too, after Planning Board approval was received. Selectman Massey commended Mr. Falcone for putting this together and coming forward, saying it's another example of shared services between the town and the public. Selectman Jasper questioned if this was an outright donation because Hudson Youth Baseball would continue to maintain the lights, pay for the electricity and maintain control of when the lights go on and off. He didn't think it was a donation to the town. It was a matter of HYB putting their property on town property for a mutual benefit. If it was a donation, the town would assume all of the maintenance and the cost. He thinks they are getting ahead of themselves.

Chairman Maddox said he needed to put on his Planning Board hat, saying the diagram shows the lights would not reflect beyond the field, but because the field is in a depressed area, he had a concern that people coming down Burnham would be looking right at those lights at eye level. Those issues would be dealt with at the Planning Board.

Motion by Selectman MacLean, seconded by Selectman Jasper, to initiate the approval process with the Planning Board to install lights at Greeley Field, carried 5-0.

D. Award of bid for construction of South Hudson Water Tank

Town Engineer Tom Sommers said the town's consultant reviewed the two bids that were received, adding that there are only two companies in this part of the country qualified to build the tank. Both bids were about \$250,000-\$300,000 less than the engineering estimate, which means they will come much closer to breaking even with the three projects they are talking about. Two out of the three projects have come in under, and a third one went over. The construction industry appears to have stabilized, in terms of pricing. The low bidder told him their subcontractors gave them good prices, and that's why they were able to bid as low as they did. He recommended going forward with this, saying the Green Meadow Golf Club needed to be notified of this, under the terms of the contract the town has with them, so they can determine whether or not they are going to participate. Mr. Malizia said the letter has already been written for the Chairman's signature and they have five business days to respond. Selectman Massey thanked the Town Engineer, saying this has been a long and interesting journey. This is the culmination of all of the projects for the south end mitigation program that they sold to the voters in 2005. With the installation of the tank, they will see a change in the delivery system to the water in the south end, which will improve the fire suppression capabilities and also provide additional pressure. Kudos to Mr. Sommers.

Motion by Selectman Nadeau, seconded by Selectman MacLean, to award the South Hudson concrete water storage tank contract to Preload, Inc., in the amount of \$1,228,910 for a 46' diameter storage tank or \$1,273,910 for a 49' diameter tank, as recommended by the town's consultant, Weston & Sampson and the Town Engineer, if an agreement is obtained from Green Meadow within five business days to fund the increase in capacity, carried 5-0.

E. Amendment #6 to the Engineering Services Contract w/Weston & Sampson for the So Hudson Water Tank Construction Administration

Town Engineer Tom Sommers said along with the construction, they need construction administration efforts, similar to what they've had for other projects. This one is especially important in that this tank is a specialty item and there will be a lot of testing to make sure they are getting what they are supposed to get. Selectman Jasper asked if this amount

was budgeted in the bond. Mr. Sommers said this fits in with the amount. Chairman Maddox said they are the ones that made up the estimate.

Motion by Selectman Nadeau, seconded by Selectman Jasper, to approve Amendment #6, in the amount of \$54,800 to the Agreement for Engineering Services with Weston & Sampson Engineering, for construction administration and support for the construction of the south Hudson water tank, as recommended by the Town Engineer, carried 5-0.

F. Ottarnic Pond Co-op, Sewer and Water Systems, Design/Construction/Betterment District

Town Engineer Tom Sommers said in the memo he wrote, dated December 21, regarding the recommendations of the Water and Sewer Utility Committees, he stated that he would also have an engineering contract for approval, but he missed it by two days. He will be bringing that back to the meeting on January 23. Tonight, he was bringing forth the recommendations of the Water and Sewer Utility Committees, with respect to establishing betterment districts, and their recommendations with respect to utilizing the same engineering firm that was utilized in the study so they can move forward with this project expeditiously, which the Ottarnic Coop is really asking for. They were in the audience, if anyone had any questions. Being an interested party in this, they have attended every meeting they could on this, showing their continued interest. The engineering agreement will be with the town. Relative to the betterment districts, the Coop members attended both meetings, so they know what it contains. The details will have to go back to the committees, but these are the basic elements of it that were being recommended by both committees. Each committee knows what the other one is doing, so they are working in concert with each other.

Selectman Jasper said the interest rate was very good, better than what they are projecting for the library bond. He asked if this was somewhat close to what the utility was actually receiving on its investment. Mr. Malizia said they were being fairly consistent with that. Selectman Massey noted a correction on 2-c, saying the funds should come from the Sewer Capital Assessment Reserve Fund and the Water Utility Capital Improvements Reserve Fund, not the Sewer Committee Association. Mr. Sommers said that error would be corrected. Selectman Massey said the Trustees refer to that fund as SCAR—Sewer Capital Assessment Reserve fund. They would be separate betterment districts for the payment of the loans.

Motion by Selectman Massey, seconded by Selectman Jasper, to accept the recommendation of the Sewer Utility and Water Utility Committees to create a betterment district for sewer and a betterment district for water for the Ottarnic Pond Cooperative and to establish a 20-year payback period for the loan at 3.5% fixed interest rate, said funds to come from the Sewer Capital Assessment Reserve Fund and the Water Utility Capital Improvements Reserve Fund and the districts would be separate for water and sewer; (Mr. Sommers said to satisfy the Water Utility Committee, they need to set an upset limit of \$90,000.) and further that there will be a limit not to exceed \$90,000 provided from the Water Utility Capital Reserve Fund.

Chairman Maddox thanked everyone for their participation in working through all of this. Selectman Nadeau asked when this was going to start. Mr. Sommers said this spring, but they would be working on the design immediately.

Vote: Motion carried 5-0.

G. Water Utility Regulations

Town Engineer Tom Sommers these were pulled together from several different regulations, one of which is one the town actually does have in place that was adopted when the utility was bought by the town, but it was put together quickly and he felt it was inadequate. There were a lot of holes in it and it needed an upgrade. Therefore, he rewrote it and it was reviewed by the Water Utility Committee on several occasions and specifically by the Chairman of the committee, Jeff Rider, who is a water utility-type engineer, and then it was reviewed by Town Attorney Steve Buckley. All of that work is what is before the Board tonight which, he believes, has to be sent to a public hearing. Selectman Massey said the Water Utility get a baptism by fire with this and they spent several months with a reiterative process to come up with a set of regulations. The work that Mr. Rider and Mr. Sommers did was extremely helpful because of their knowledge of water—especially Mr. Rider. What they have now is a good grounding to move forward.

Motion by Selectman Massey, seconded by Selectman MacLean, to forward the proposed Town of Hudson Water Utility Rules and Regulations to a public hearing carried 5-0.

H. Water Utility Policies & Procedures (Back-flow Prevention Devices—Testing)

Town Engineer Tom Sommers said they are in the process of putting together polices and procedures similar to the Sewer Utility, which he authorized in the early 90's, as a consultant to the town. This is the next policy, which he is bringing forward in no particular order, but as he sees issues arise and as they are pointed out to him, for approval. This was reviewed several times by the Water Utility Committee, and they are recommending approval. There is not a lot of change in this with respect to what they do. It provides more teeth for Pennichuck Waterworks to move forward and make appointments and if they get stood up, there are teeth in terms of a fee that will be charged for not responding, and they will be charged that by the utility. This isn't for all residential, but only for the larger users—commercial and industrial. It's very important, a contamination issue.

Selectman Massey said Pennichuck is charging \$36 to the Water Utility to do this no-show, and another \$30 will be added to process the actual invoice to the customer from the Water Utility. Chairman Maddox asked if there was a definition for a high hazard device. Mr. Sommers said no, but he will get that from Pennichuck. Chairman Maddox said

anyone residence with an irrigation system would have one of these. Mr. Sommers said no, that was not the case. He didn't believe those were high hazard devices. Everyone has a back-flow preventer, but not all of them are tested. Most residential units do not have to be tested. In the higher use categories, with a higher amount of flow, they are required by law to be tested. Chairman Maddox said this makes it look like Pennichuck is the only one who can do this, and wondered if other companies could provide that service. Mr. Sommers said other companies could, but the town is under contract with Pennichuck to provide this service as part of the unplanned maintenance operation. Selectman Massey added that this is added into the O & M contract the town has with Pennichuck.

Motion by Selectman Jasper, seconded by Selectman MacLean, to approve, as recommended by the Water Utility Committee, carried 4-1. Selectman Maddox voted in opposition because the definition was missing.

(Start Tape 2-B)

I. Service Connection to 85 Highland Street

Town Engineer Tom Sommers said after this was put on the agenda, the Town Administrator found some information with respect to this location from about 10-12 years ago that appears to be in conflict with the proposed recommendation, so it is being referred back to the Sewer Utility Committee for review.

Motion by Selectman Jasper, seconded by Selectman Nadeau for a break at 8:30 p.m. carried 5-0. The meeting resumed at 8:40.

J. Acceptance of a \$500 Donation to the Recreation Department from the Southern NH Radio Control Club as a thank you for the use of the landfill site for aero modeling

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

K. RiverPlace Engineering Peer Review

Community Development Director Sean said within the last couple of weeks, he had a discussion with Marty Kennedy of VHB, who is the project manager on behalf of the town, from a project review standpoint, for the Green Meadow redevelopment/RiverPlace project. Mr. Kennedy advised the town that his company is under contract with National Development to develop a lifestyle center in Lynnfield, Massachusetts. Marty further advised him that W/S Development has teamed up with National Development for the Lynnfield, MA lifestyle center. Subsequently, Ed Vydra of W/S Development called to advise that W/S, the developer of the project in Hudson, has nothing to do with the permitting phase of the Lynnfield project and indicated that W/S would be focusing on retail leasing and tenant coordination and not on traffic mitigation or site development issues. Marty Kennedy also verbally advised Mr. Sullivan that VHB's peer/engineering review of the RiverPlace project would not be compromised, either directly or indirectly, as a result of the Lynnfield, MA project. There could be an appearance of a conflict of interest, since VHB is the town's engineering consultant for the RiverPlace project, and Mr. Sullivan thought the Selectmen should be made aware of this issue and determine if any action is necessary. Subsequent to Mr. Sullivan's December 22 memo to the Board, he received the letter from VHB that he handed out to the Board, stating that VHB will remain true to the town of Hudson and he, in his professional opinion, on behalf of his company, does not view this as a conflict of interest.

Chairman Maddox said the letter, which was signed by Marty Kennedy, should have come from the highest person in that office—someone higher up the food chain. Mr. Sullivan said they have a letter in the file from Frank O'Callahan, who is a VP at VHB, but it doesn't deal specifically with this issue. It was the general issue, prior to the town signing the contract with VHB.

Selectman Jasper said the memo from Sean to Steve was dated December 22, but the date stamp showed it being received in the Selectmen's Office on January 4. He wondered why it took that long to get a memo from one end of the building to the other. Mr. Sullivan said before he submitted the memo to Steve, he wanted to discuss it with his liaison, Selectman Massey, and in the meantime, there were two holidays. That is the reason for the delay. Selectman Massey said the letter from VHB was a direct result of the conversations he had. He agreed that the letter would have a lot more oomph if it came from someone higher up on the food chain. After speaking with Mr. Sullivan, he concluded that there is not a direct conflict of interest. W/S is the leasing agent for that property and, as such, they are going to be dealing with customers or potential clients. Engineering concerns will be handled between W/S and National Development, not direct conversations with VHB. It might be appropriate to ask the same VP that signed the original letter if they could take this same letter and resubmit it with their signature. That would have a lot of force. He had another conversation with the Town Engineer because when you think about it, there is absolutely no engineering firm of the size they are talking about, with the skill sets they are talking about, that's going to want to ultimately say they will never do business with somebody else. What they want to make sure of is there is a Chinese firewall between the project that's involved and with the town/VHB. Based on what they are telling the town, at the moment, he is satisfied that the relationship can be managed and they won't compromise the town's need for support that may be different than what W/S wants to provide from their own reports.

Selectman MacLean said the town hired Marty Kennedy, so there is an element of trust shared with him, and he has told them the role of VHB and the role of W/S in the Lynnfield Development. She wondered if it would be feasible for the town to ask to see the contract so the town's attorney could look at it. Mr. Malizia said he wouldn't give it to the Board if he was them.

Selectman Jasper didn't think this was different than the Lowe's site on Amherst Street that VHB was involved to some degree, as was W/S. He agreed with Selectman Massey, except that if a Chinese firewall is anything like a Chinese fire drill, he did have a concern. Selectman Massey said the firewall he's referring to is an absolute separation between what Marty Kennedy is doing for the town and what VHB might do with other projects, they would not be sharing information from other projects on what the town is doing. VHB was under contract with National Development, before W/S was ever brought in.

Chairman Maddox said there are only so many players of this size in this particular type of market and they are all going to bump into each other, and there isn't any way they are not going to be involved peripherally with each other. He didn't have a problem with this, either, but he would like to see a letter from someone else higher up the food chain, and that both of these documents gets added to the list of things that go up on the web site. Mr. Sullivan asked if he should wait until he gets the document signed by the VP. Chairman Maddox said no, put these up now and the other one up when they get it.

8. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Shawn Jasper wanted to talk about some concerns he heard at the Budget Committee relative to the library and the Board's lack of planning for the old library. He has a vision for what they should do with that old library, but what the Board wants to do with that building, as this time, is irrelevant because there potentially will be two new faces on this Board next year and there may actually be another election cycle before they even move into the new building. For the Board to come up with a plan now and tell the voters what they are going to do with that building would be wrong. By the time they actually do something, there may be three new Selectmen. The only questions they can really ask right now is if that library is adequate for the needs of the town today, and if the answer is no, then they proceed to—given everything that's gone on the last 26 years with trying to come up with a plan to add on to the building or expand that site—then, is this new plan reasonable and cost-effective? If the answer is yes to that, then proceed from there and worry about what to do with the building afterwards. To talk about what to do with the old building is really a waste of everyone's time, right now. If and when the voters approve a new library, they will develop the plans for the old building at that time.

Selectman Jasper said another issue he wanted to talk about was the fire truck because there seems to be some confusion about what the plan is. They are proposing to buy a rescue pumper. His understanding was that if this went through, they would eliminate the rescue truck; they wouldn't be keeping it on until it died in five years. He thought the intent was that if it went through, that would replace an engine and the rescue and the rescue would go down the road. They wouldn't keep it and keep paying insurance on it and put maintenance into it. That truck would be gone. There was some concern with the Budget Committee and the answer seemed to be a little uncertain as to what was going to happen. His intent was that truck would go away, not the day the new one comes in the door, but as soon as everything can be transferred. The Board needs to have a position on that for the public hearing because that was a concern. Selectman Massey said that was his understanding, too.

Selectman MacLean said the Budget Committee was mostly concerned about the plan for the rescue truck. The Chief did say he planned to keep it on line and transition off of it, but if the Board tells him no, he will have to get rid of it. She went along with that because the Board didn't really have a position. The only position the Board had was that it did not have to be replaced, even if it did die, so they were saving money in that sense. Selectman Jasper said the Board does need to take a position. It was a very close vote and they could lose that one. If they are saying they don't need the rescue in five years when it dies, then they don't need it when the new one comes in. They can save money by taking it off the road, getting salvage value out of it now rather than in another five years. He thought that was the Board's intent, combining the two functions—ship two trucks out the door, but they may want to have discussions about rehabbing an engine for reserve, and then they would have a bay to do that, if they got rid of the rescue. They don't have any room to keep a truck in reserve and keep the rescue, as well.

Chairman Maddox said he was always under the impression that this was a first truck, that would be the rescue pumper, that by doing that would reduce the number of calls, but you'd still need a heavy rescue. This engine would not be able to carry all of the equipment that the present rescue truck carries, as well as have enough space to put people, so it was always his impression that it would reduce down the number of calls that that made to one or two a month, as opposed to now rolling on a lot of active type of scenes, where there is extrication needed, where the jaws are needed. He was always under the impression that that truck would stay in the fleet until such time as it was not cost effective to keep it. If it's not rolling much, hopefully there won't be much cost to maintain it. Selectman Jasper said, with that line of thinking, when the truck dies, it would be replaced because if they were keeping it, it can't carry all the stuff, therefore, it needs to roll once or twice a month, then it would have to be replaced. Maybe the Board needs to have a sit-down with the Chief because when he (Selectman Jasper) proposed the idea, it was specifically to combine two pieces of apparatus into one, and then they wouldn't have to replace the rescue vehicle, as a scheduled. It appears the Board doesn't know where it is going, so it is not going to be able to see this to anybody.

Chairman Maddox said he thought that if they had the new pumper-rescue at Burns Hill, they'd still need that capacity at Central, going out 102, so they would keep the rescue truck for that, at least in the short term, to see how that works out. He wouldn't get rid of the rescue truck the day the equipment is swapped over. It appears they are of two different mindsets.

Selectman Nadeau said he thought, by replacing the rescue truck with the rescue pumper, they were going to get rid of the rescue truck. In the conversations he has had, the Chief wanted to keep it because it wasn't costing the town anything to have it. If they get rid of it now, the value is probably a lot higher than if they wait five years to get rid of it and it will probably cut down the cost of the new vehicle with a good trade-in or selling it outright. Chairman Maddox said they just traded in a \$200,000 pumper

and got \$6,000 for it, so this truck, which is 10-15 years older won't bring in any more than \$3,000 today, and \$2,200 in five years for scrap. He didn't think the trade-in value of that truck is anything, at this point.

Chairman Maddox said it appeared the majority of the Board's recollection was different than his and asked Selectman Massey what his thoughts were. Selectman Massey said he already said his recollection was that was what they were going to do. Selectman MacLean didn't recall that's specifically what they were going to do. She remembered the Board saying they were not going to replace it when it came time to be replaced. If the Chief thinks he can put it go good use, and if it's not going to be an extra burden, then she would support the Chief. Selectman Jasper said then they have a problem. They are going with a more expensive piece of equipment for a specific purpose, which the Board is now saying they don't want to get to that purpose for five years down the road, or 10 years down the road, or whenever this truck goes out. Chances are none of them will be on the Board at that time, and maybe nobody will be left on the Budget Committee who is there now, and the institutional memory is gone and when the truck wears out, it will be replaced. The Chief may not even be there. They have to make the hard decisions and make them happen. He has seen this happen before, over the years, where they replace the same piece of equipment twice—and this is exactly what happened. They never get rid of the second one and keep it around for five or six years, and then replace it again. That's not a good way to do business. Chairman Maddox said getting the rescue pumper was the first step which, theoretically will go to Burns Hill in the south end. Selectman Jasper said no, he didn't understand that at all. They have two engines at Central and his proposal was based on the assumption that Engine 2 would be the primary truck out and the rescue would go as the second piece out on rescue calls, just like the rescue does now. Obviously, if they haven't fully thought this out, they are in serious trouble and they need to have a discussion to come up with a plan, or they may well lose this. Right now, they are at five, four with one. Joyce Goodwin was out and is likely to vote against it, which loses the recommendation. Ray Rowell abstained. With a good plan, they might be able to get him on board, but without a good plan, they might lose somebody else. If they were going this over again, he'd vote no because his assumptions turned out not to be.

Chairman Maddox said they should ask the Chief because he is the person who made the presentation and has the better knowledge of what he wants to do. Selectman Jasper said the problem is the budget hearing is on Thursday. He didn't think it mattered so much what the Chief wants; the Board is the spending authority and it is what it wants. If, in five years, they wouldn't need the rescue, why would they need it today? The town is growing and will get busier, not less busy. Chairman Maddox said that's why he was under the impression that they were going to utilize the rescue less, thus keeping down its cost, run calls, etc., and if they see if a year or two that they don't need it, then they get rid of it. They have the truck; it's sitting there and costs short money to keep it. The rescue pumper's only additional feature is that it has the Hurst tool built into it, so they would be able to do the extrications, but they wouldn't be able to do the bag lifts and all of that other stuff that the rescue does now. Selectman Jasper didn't believe so; the rescue pumper has more lights built in and more compartment space, which is his understanding of what they would be looking for. It might have slightly less water capacity to make up for that space, but it carries what they carry in there. It just doesn't have the space they have right now, where they can send people into the back of the rescue to warm up. When they had the dive team, they would change in there. That's what he thought the major difference was, but they can warm people up in the fire prevention van. They need to fine-tune this plan, but he didn't know what they were going to say Thursday, at this point, because they seem to be all over the board.

Selectman Massey said the law of unintended consequences follows through on this. Even if they take the position that they would wait until the rescue truck died, they are really saying that are just going to keep it around because it runs, and it might be used for a couple of times. Historical memory aside, even if all five of them were still on the Board five years from now, they might all be persuaded that the truck needed to be replaced. If the idea was to replace it, then regardless of what they may or may not have thought of originally, the position should be it's a replacement and, as soon as practical after the new vehicle is in, they sell off the rescue truck. Otherwise, they will find a way to make it so it's needed. They will find a way to make it work. It will be a project waiting for a mission, and that mission will be created. He would not be in favor of extending the life of that rescue truck beyond the replacement's on-line status.

Selectman MacLean said if they were to sell off the rescue vehicle, it probably wouldn't be much money, like the Chairman has already said, so money isn't that big of an issue. The point is they don't want to be tempted to replace it in the future, but she wondered if that vehicle could be used to create another vehicle, much like the Road Agent did with the sweeper that he made into another kind of truck. Mr. Malizia said if they wanted to spend enough, it could be converted into a lot of things, but chances are it wouldn't be a prudent expenditure. With the old street sweeper, they just took the body, the back off.

(Start Tape 3-A)

Chairman Maddox said they really need to have a conversation with the Fire Chief to hear his side of the equation. He never thought they were wiping out the rescue, as soon as the new truck arrived. Selectman Jasper said on Thursday night, they will have to tell the Budget Committee they don't have a clue on what they are doing, and that isn't a good way to go. It's unfortunate they got to this point. He has to take some blame for that, but he believed they were all on the same page with this—and now he finds out they are not, so they can't tell the Budget Committee anything what that question comes up. They might keep it and they might now. He would have preferred they said they were going to evaluate the engine that they are replacing and place that in reserve because they do have a replacement schedule where they are replacing engines fairly often. To keep an engine in ready reserve, just having it there when they have a breakdown, might make some sense and it would be better to evaluate that. The problem is they can't keep two; they can keep only one or the other because they don't have the bays to do both. Forget trying to park an engine out at the steel shed. This has got to be something they start up and run once a week, if it is going to be in ready reserve. That may not be a bad idea because they got \$6,000 for that truck and now they are replacing one that's not in bad shape.

Selectman MacLean said when the Budget Committee was speaking on this, whatever they do with it, it doesn't change the fact that Engine 2 needs to be replaced. That's the bottom line. It could be like the library argument. Selectman Jasper said they were

replacing it with a rescue pumper, which is a more expensive piece of equipment and if they are not taking the rescue out of service, then they ought to go with the cheaper engine. They shouldn't spend the extra money just to have another rescue vehicle. They don't need that. Chairman Maddox said his understanding is there is a \$25,000 difference between a pumper and the rescue pumper, so it's not a huge difference and to find out if that makes sense on the long run might take several years, so taking the rescue out as soon as this one is operational puts them in a position where it may not be the best thing for the fire service in the long run. Selectman Jasper said he was the one who made the proposal and he never would have made the proposal to go with the rescue pumper had he ever thought they were not going to eliminate one truck out of the fleet. He'd rather put \$25,000 into street resurfacing than to put it into a pumper rescue when all they need is a pumper. Chairman Maddox said he could tell the Budget Committee that the Board has had a spirited discussion, and they need to look at this. At this point, the rescue would not be replaced, so they are saving money and the Board is evaluating it. Selectman Jasper said but Chairman Maddox was not saying that the rescue isn't going to be replaced, it was going to be evaluated, so in five years, they may still do that. He understood the Chairman to be suggesting that they spend \$25,000 more and decide what to do in five years. Chairman Maddox said to have a truck that can do rescue at \$5,000 a year would be worth it in the long run, but he was battling up hill with Selectman Jasper tonight. Selectman Jasper said yes, he was, because to do what the Chairman was talking about, they would have to buy a whole lot more equipment. Chairman Maddox said no, it's on that truck. Selectman Jasper said no, the air bags and all the things that are on Rescue 1 right now would not—the trucks don't come with equipment, except maybe a Hurst tool built in, but they have Hurst tools on several of the trucks. Chairman Maddox said they might want to do a little more research. Selectman Jasper said the voters are going to say they don't have a plan, and they got to get one real quick; they should have already had one, and he thought they had.

Selectman MacLean said she's heard it said they sometimes the Board is shortsighted about things; they don't plan ahead. This might, in fact, prove to be a wise decision to keep the rescue truck longer. Maybe it will prove to be a good thing. The fact they are leaving that option open could be considered prudent. Selectman Jasper said maybe on her dime, but not on his.

Kathleen MacLean said it was nice to see the people who came out to speak about the library. Whether someone is for or against it, the best thing they can do is get out and vote. Talk about it with neighbors, discuss the issue, and then get out and vote. Mr. Fusconi said he was a senior and spoke about his tax bill. A lot of seniors she knows are snowbirds and not here in March. If someone is concerned about it, get an absentee ballot and vote. She read the following into the record:

Because the time to file for candidacy is approaching on January 24, I would like to take this opportunity to formally announce that I will not be seeking re-election at this time. I truly would like to give the voters the opportunity to affirm their original vote for me, or on the other hand, the opportunity to say thank you, but not this time. However, circumstances in my personal life prohibit me from serving again, if I was to be re-elected. That being said, I would like to encourage all people who have ever thought to themselves, 'I would do things differently,' or 'I could do a better job,' or simply, 'I'd like to get involved,' to please consider filing for candidacy. While it certainly is plus to have some background knowledge in the affairs of the town, a willingness to serve is the most important requirement. Thank you in advance for considering your candidacy, not only for Selectman, but for the many other boards, committees and positions available on the ballot. Thank you.

Ken Massey said the conversation they had about the library reminds him a little bit about his years in private industry where it was called paralysis by analysis. Nothing ever happened because you were always thinking about what the next person would want to do on it. He truly believes that if the library warrant article passes, it will be incumbent on the then-sitting Board of Selectmen to make a decision on what to do with the Hills Memorial Library, in consultations with the Library Trustees. He didn't think they could say because there might be different people they should wait. They have to deal with the cards they are dealt at the time they are dealt and take it where it goes. Does that mean that some future board might not make a different decision? Of course not, but they can't always be sitting there, waiting for the next election to make something happen. You just have to deal with the cards you are dealt.

He had a conversation with the Town Administrator yesterday and understands the Budget Committee is concerned that there was never any formal adoption of the vehicle replacement plan for the town. Recognizing that a plan is subject to changes as circumstances change, they still need to have one. It would be his recommendation, after talking with Mr. Malizia, that at the May workshop, it be devoted to reviewing the vehicle replacement plan and, as a result of that workshop, to formally adopt that plan so that it is out there in the public domain as a plan, with the full recognition that circumstances could change, but that's what plans are all about. It would at least give a guideline and a roadmap—pun intended—for where their vehicles are going. His recommendation is that the vehicle replacement plan be reviewed at the May workshop. Chairman Maddox said it could be an item on the agenda, but didn't know if the whole meeting needed to be devoted to it. It will probably be a stepping stone to a couple of different workshops because they will have to get input on different vehicles from different departments. That program has never been adopted, and it gets fuzzy at times. It probably wouldn't be a bad idea to set up some criteria, whether it be age, cost, or whatever, so future boards can see how they got there.

Ben Nadeau said he had nothing this evening.

Rick Maddox said at their February workshop, they expect some guests, so they will have to work with the Cable Utility to set up for them, probably with wireless mikes. If anyone watched the combined Planning Board/ZBA/Conservation Commission meeting, there weren't enough mikes and it was very hard to hear. Hopefully, they will learn from their mistake and re-mike the room. He'd also like the Board to work on questions on where it wants to go, as a priority. Hopefully, at their meeting on January 23, they can have some discussion as to what the Board is looking for from the state reps. To invite them in and introduce them

would be nice, but they should have an indication on how to contact them, put forward a bill, etc. Maybe Selectman Jasper would like to take the lead on that part of it. They can all reel off the bridge, Benson's, etc., but they should look at their priorities, so the reps will know what the Board is looking for from them.

Deputy Chief Charlie Chalk has left Hudson. Having dealt with Charlie a number of years before he became a Selectmen, in his other job, the Fire Department and the town of Hudson lost a real class gentleman. He was always helpful and knowledgeable. He is a true loss to the town and to the Fire Department. Those will be difficult shoes to fill because he knew the codes, but could work with the citizens to get things done. He was just a nice guy. On behalf of the Board and the town, he wished Charlie the best of luck in his new endeavor—out in the woods in Colebrook, and all over the country, doing articles for outdoor magazines.

There has been a lot of talk about growth in the town of Hudson. He bets that Selectman Jasper can recall when a lot of the roads in town were dirt. Chairman Maddox can recall 10 years ago, when he was on the Planning Board with Lenny Smith, he talked about when Lowell Road was dirt. Growth happens. Hudson is a great community, in a great location, with a good tax rate, even though it rises, it's not as bad as some of Hudson's neighbors. This is a place where people want to come. The Planning Board and town staff, through the growth ordinance, has done a good job of being able to take care of the big concern of five or six years ago, with the housing side of the equation. They dealt with some of the issues with the older persons in 55-housing recently, to try to stop some of that. They try, but it's a cycle. It has probably been two and a half years that they have been working on the table of permitted uses. As a workshop item, there would always be a question. That document will never be 100%. Things change. What people are building today may not be what they are building tomorrow. There is a zoning article on the ballot, asking the voters to approve an update from the 80's. Some of the items were just outdated, and others just aren't there any more. They are trying to deal with growth. He had hoped the Associate Planner was on the warrant so people could have helped again, but democracy is one of those funny items. Maybe next year. People are trying to do something, like they addressed the housing issue. There was a problem with older persons housing, so they went to the voters and they accepted it. He hopes they will also support the Planning Board with the zoning changes. And they need to task the Planning Board with what to look at on the commercial side. It's not that they haven't worked on it; it's just something that takes awhile to get done. Everyone wants it yesterday, but it is a project the Planning Board takes very seriously, as does Community Development and the Selectmen. They want growth, but in a measured and rational amount.

9. NONPUBLIC SESSION

Motion by Selectman MacLean, seconded by Selectman Massey, to enter nonpublic session under 91-A:3 II (b) The hiring of any person as a public employee; and (e) 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 is entered into at 9:30 p.m., thus ending the televised portion of the meeting. Any votes taken upon exiting from nonpublic session will be listed on the Board's January 23rd agenda. Public session was entered into at 10:10 p.m.

Motion by Selectman Jasper, seconded by Selectman Massey, to seal the Nonpublic Session minutes 1/9/07 carried 5-0.

Motion by Selectman Massey, seconded by Selectman MacLean, to hire Susan Kaempf as a temporary, part-time employee (30 hours per week) to provide office support in the Recreation Department at \$13.00 per hour, effective January 22, 2007, with an ending date of no later than June 22, 2007, as recommended by the Recreation Director, carried 5-0.

Motion by Selectman Massey, seconded by Selectman Jasper, to hire Cynthia May as a contract Town Planner in the Community Development Department, effective January 22, 2007 through June 30, 2007, at a salary of \$41,600, as recommended by the Community Development Director, carried 5-0.

10. ADJOURNMENT

Motion by Selectman Massey, seconded by Selectman Nadeau, to adjourn at 10:14 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