

HUDSON, NH BOARD OF SELECTMEN'S MEETING
Minutes of the December 12, 2006 Meeting

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

2. **PLEDGE OF ALLEGIANCE**, led by Town Clerk/Tax Collector Cecile Nichols.

3. **ATTENDANCE**

Selectmen: Richard Maddox, Shawn Jasper, Kenneth Massey, Kathleen MacLean (arrived 7:30 p.m.) and Benjamin Nadeau
Staff/Others: Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Police Chief Richard Gendron; Capt. Don Breault; Capt. Jason Lavoie; Lt. Bill Avery; Sgt. Mike Smith; Ofc. Kevin Sullivan; Ofc. Mike Davis; Ofc. Alan Marcotte; Ofc. Cassandra Dabilis; Ofc. Dan Dolan; Of. Brandon Cannata; Ofc. Patrick McStravick; Kristin Davis, Ella and Lyla; Luis Aberto; Jim Michaud, Assessor; David Yates, Recreation Director; Sue LaRoche; Representative Andy Renzullo; School Board Chairman David Alukonis; School Superintendent Randy Bell; students from Alvirne Voc Tech; Kevin Burns, Road Agent; Patrick Corcoran, Ed Ferrari & Ed Roy from Corcoran Environmental Services; Jean Serino; Tim Quinn; Jim Barnes; Nominations & Appointments applicants; OPAC members Len Lathrop and Andrea Perreault; Ashley Smith, TEL

4. **PUBLIC INPUT**

A. Certificate of Appreciation for Employee Longevity and a \$50 check for Cecile Nichols, Town Clerk/Tax Collector, for 20 years of employment with the town.

B. Presentation of Life Saving Commendation to Master Patrol Officer Mike Davis for extricating an individual from a burning vehicle and a Civilian Service Award to Luis Aberto for assisting Master Patrol Officer Davis.

C. Akim (w/K-9 Officer Sullivan) present to display his new bullet-proof vest, equipped with special devices for safety and tracking purposes, which was explained by Officer Sullivan.

D. Jean Serino, 118 Robinson Road, spoke against the Board changing trash collection companies for a variety of reasons.

E. Tim Quinn, 1 Fuller Drive, Chairman of the Conservation Commission, spoke in favor of the reappointment of Conservation Commission members, Bob Haefner and Sandra Rumbaugh.

F. Jim Barnes, 3 McKinney Drive, Chairman of the Planning Board, spoke in favor of the reappointment of Planning Board members George Hall and Vincent Russo and alternate Bill Cole, who was applying for a member position.

5. **NOMINATIONS & APPOINTMENTS**

Selectman Massey said, given that some individuals have applied for more than one board, he asked that they hear all individuals and not make any appointments tonight. Chairman Maddox said this was a challenging time for land use boards, so the Selectmen really need to reflect on appointments. This is probably one of the most important things the Selectmen do, as these are the people who work in the background—and it appears that 2007 is going to be a very busy year. The Board had tried to move the dates for term expirations, but due to statutory issues, they decided to stay with December 31.

A. **Building Board of Appeals** (1 member, term to expire 12/31/09)

Chairman Maddox said they have no applicants for this board. Members have to have some experience in the building trades. This board may see some activity in the coming years but, to date, they haven't met.

B. **Cable Utility Committee** (2 members, terms to expire 12/31/09)

Steve Boucher, 4 Circle Drive (incumbent member, reapplying)

Mr. Boucher said he has served multiple terms on this committee, from HCTV's inception to its current status. He is proud of the four-fold increase in meetings that are broadcast, and many more events which are aired on the public channel and he's looking forward to seeing many more in the future. He has enjoyed serving on this committee and hopes to continue to do so. Selectman Massey said in the last year and a half, they've seen a tremendous increase in the amount and quality of programming and he thanked Mr. Boucher and the rest of the committee for what they've done.

Jeanne Johnson, 3 Belknap Terrace

Ms. Johnson said she applied for a lot of different committees, and was willing to serve wherever her skills can be best utilized. She is just interested in serving the community. Selectman Jasper was glad to see that Ms. Johnson was willing to serve, but hoped that she wouldn't be called forward for every committee where her name is listed. Now would be the appropriate time to ask all their questions. Chairman Maddox asked if she has ever been to a land use board meeting. Ms. Johnson said no, she is a new homeowner and lived in Hudson for only about 10 months. Just in that time, she has seen a lot of changes in town, and she wanted to be more involved. Selectman Massey echoed Selectman Jasper's thanks, saying the town is faced with a potentially significant development on the Green Meadow site. There is also another development in progress on Lowell Road, with rumors of at least two more down there. It's going to be extremely for anyone appointed to the Planning Board, the Conservation Commission and the Zoning Board of Adjustment that they understand that the commitment is going to be significant. If she hasn't been to any of those meetings, it might be worthwhile to do so between now and December 26, in order to get a sense of what they are because

they are going to require a great deal of time and effort. The Planning Board meets tomorrow night; the ZBA meets on the 14th and the Conservation Commission met last night, and that can be viewed on television. Ms. Johnson said she would. Selectman MacLean asked if she was a cable user. Ms. Johnson said she was.

C. Conservation Commission (2 members; 1 alternate, terms to expire 12/31/09)

Robert Haefner, 1 St. John Street (incumbent member, reapplying)

Mr. Haefner said he was currently the vice chairman of the Conservation Commission and is involved with a number of boards in town. Selectman MacLean asked if he felt he had time to give to the Conservation Commission, with all of the hats he wears. Mr. Haefner said yes. His state rep works gets done during the day and town works gets done in the evening, and he thinks he has time for both.

Sandra Rumbaugh, 39 Beechwood Road (incumbent member, reapplying)

Ms. Rumbaugh said she was just finishing up her fourth year on the commission. She is enjoying serving and understands what is happening in town and the commitment it will take. She has changed her stance from when she first started learning things, going from being against development to no longer being anti-development. She believes there should be more of a balance, more protection through zoning and that's what she is trying to do. One of the things they talked about with their prime wetlands study was to protect the water and the wildlife corridors by identifying those important areas and getting some additional protection.

Phil Cassista, 62 Rangers Drive

Mr. Cassista said he was applying for an alternate's position because this will be on-the-job-training for him. He'd like to know more about how government works for protection of the environment and people's rights. He didn't want to push out anyone, but when he heard there was a vacancy, he wanted to make sure there was full representation on the commission. He wants to make sure development doesn't become a dangerous thing, that it's balanced by respect for the laws already in place. Selectman Massey suggested Mr. Cassista watch last night's Conservation Commission meeting to get some idea of what is entailed in the meeting. He also encouraged him to check out RSA 36-A on the state's web site relative to the duties and responsibilities of a member of the Conservation Commission, and what it is charged with.

(Start Tape 1-B)

Jeanne Johnson (interviewed earlier)

Thomas LeBlanc, 3 Belknap Terrace

Mr. LeBlanc said it will be a year in February that he's lived in Hudson and is interested in having input in the town in which he pays taxes. He's interested in conservation and wetland preservation and maintenance. Being a hunter since he was 10, he is interested in the balance between construction and conservation. Selectman Massey asked if Mr. LeBlanc was on cable. He answered that he was not. Selectman Massey thought it would be beneficial for him to check with the Cable Committee to see if the tapes were available for him to view the meeting. Mr. LeBlanc said he would research RSA 36. Chairman Maddox suggested he could attend tomorrow night's Planning Board meeting to see a land use board in action.

D. NRPC (1 member; 1 alternate, terms to expire 12/31/10)

Bernard Manor, 1 Stable Road

Mr. Manor said it looks like the town has a lot of work coming before it and he wanted to help out. He has served on the Planning Board, Conservation Commission and other boards and committees. He has lived in town 30 years, so he knows a little about what's going on in town. Selectman Jasper asked if Mr. Manor preferred this committee or the Sewer Utility Committee, which he also applied for. Mr. Manor said he'd like to serve on both because both of those committees are going to be involved with the new development. Chairman Maddox said NRPC meets next week, if he wants to attend. He asked if Mr. Manor was a sewer user. Mr. Manor said no, he was not.

Selectman MacLean said the Conservation Commission has extra applicants and wondered if Mr. Cassista, or anyone else, might consider NRPC because they could use another applicant, and they are very much tied together. Selectman Massey asked, given that it's almost certain that the Green Meadow will be declared a regional impact project, what he saw as the effort that the Hudson members of the NRPC should be focused on. Mr. Manor said they need to make everyone aware of that project and keep it in front of them because they need to be looking at their aspect around Hudson. They need to be kept aware of what's going on. That would be his prime goal.

E. Planning Board (2 members, 1 alternate, terms to expire 12/31/09; 1 member, term to expire 12/31/07; 1 alternate, term to expire 12/31/08)

George Hall, 18 Par Lane (incumbent member, reapplying)

Mr. Hall said he's lived at 18 Par Lane for 18 years and has been a member of the Planning Board for about 13 years. He served on the CIP for almost the same amount of time, and he is a member of the Highway Safety Committee. His regular job is manager of real estate for Brox Industries and his responsibilities in that position requires that he makes presentations and appear before many local land use boards in both NH and MA, which gives him a lot of experience and perspective of how the laws are applied in other towns and some of the existing ordinances in other communities and some of those ideas, he thinks, can be applied to

this town. They have in the past and it gives him a good perspective on how other boards handle other situations, similar to what this Planning Board does. His regular job gives him a good perspective in dealing with Planning Board issues. He hoped the Board of Selectmen would reappoint him for another three years.

Vincent Russo, 14 Greeley Street (incumbent member, reapplying)

Mr. Russo said he's lived at this address for 17 years and has been on the Planning Board for about four years. He owns and operates a heating and air conditioning company, working in Southern NH. He has also served on CIP and is a member of the Library Building Committee and is on the Building Board of Appeals.

Bill Cole, 12 Fairway Drive (incumbent alternate, applying for member position)

Mr. Cole said he has lived at this address for 25 years and appreciates the opportunity to come before the Board and request its favorable consideration for his application to the membership position that's vacant on the Planning Board, with an expiration date of 31 December 07. As a past member and president of the Hudson Town Council and as a past member and chairman of the Board of Selectmen, and currently as an alternate member to the Planning Board, he feels that he has the experience, qualifications and the temperament—although that may be a debatable issue—to continue to contributing to the Town of Hudson and the community that he and his family have called home for 25 years.

Selectman Jasper said Mr. Cole has been quite critical of this board and the town in general in how they have handled, to date, a plan which has not been formally submitted, the Green Meadow Plan. They only just received the traffic report last week. The first time most of them saw the report was at the joint Planning Board meeting. He wondered if Mr. Cole would expound as to how he would feel that they are nine months behind on a project that has not been formally submitted.

Mr. Cole said he'd address the question, as a courtesy. He hasn't been critical of the way they handled the project, but he has been critical of the way the board has prepared to handle the project. He feels that they are at least six to nine months behind where they should be, with regard to preparing for the plan which, he believes, is going to be delivered this Friday, December 15. He was part of the hiring process when VHB was brought on board, along with Chairman Maddox about a year ago. VHB has been underutilized and hasn't been given good guidance with regard to what they could be doing. The joint meeting the other evening with the Planning Board was a disappointment, which he stated in an e-mail which Selectman Jasper has a copy of, which he assumes is where these remarks come from. He feels that very strongly. Does he feel that the board has mishandled the RiverPlace project? Of course not. There is no RiverPlace project. He hasn't seen one. Maybe on the 15th, something will be delivered to the town and then they will formally have a project. The preparation for handling that plan, he thinks, has been unsatisfactory and a disappointment to him.

Selectman Jasper said that didn't get him too far in terms of what they should have done, but perhaps he'll let that go. Mr. Cole, addressing Chairman Maddox, said with all due respect, Selectman Jasper didn't have to let anything go. He could attend the Planning Board meeting and bring that subject up and he'd be happy to address it. Tonight isn't the forum. He came here as a citizen to volunteer his services on behalf of his community, not to be interrogated with regard to what his feelings are about this board.

Chairman Maddox understood there was some debate, but to keep it civil, and to go through the chair. This is an application, whether Mr. Cole is suitable to sit on this board is one of the questions that certainly should be asked, and that's what Selectman Jasper was doing. He was asking Mr. Cole's position on a number of different issues. He asked if Selectman Jasper had a follow-up question.

Selectman Jasper said this was a theoretical question, but didn't think there was much doubt about it. Through Mr. Cole's e-mails, there are many who believe his position on Green Meadow has already been stated and he is no longer qualified to sit in judgement of this plan because you no longer meet the judicial standard that is required of a land use board member. If the applicant were to come forward on that particular plan and ask that he recuse himself, he thinks it is important that the Board of Selectmen know how he would react to that request, if he was appointed to a full position. Mr. Cole said he couldn't possibly answer a hypothetical, theoretical question which hasn't been asked of him and he certainly wouldn't know what the applicant's premise would be for him to be disqualified. He'd have a difficult time answering a question which 1) hasn't been posed, 2) may not be posed, and 3) has not idea how it would be posed and what the premise would be. Chairman Maddox said they are all dealing in hypothetical until Friday.

Selectman Jasper said he'd ask it another way. He believed Mr. Cole did not meet the judicial standard, as it applies to the Green Meadow project, due to the wording on his e-mails and, therefore, he is asking Mr. Cole, if he was representing the town, would he recuse himself because, as Mr. Cole has so often said, they only have one chance to get this right. Part of getting this right is making sure that the people who sit in judgement of this plan do not subject the town to any type of legal action by their previously-stated positions. He asked Mr. Cole if he'd recuse himself. Mr. Cole asked what Selectman Jasper's foundation or basis for the statement that he (Mr. Cole) was not qualified, or should disqualify himself.

Selectman Jasper said he'd need to go into a little more detail than he was privy to, at the present time, but Mr. Cole was also privy to the same information, and he knows *exactly* what that premise is. Mr. Cole, addressing the Chairman, said he has no problem if Selectman Jasper wants to talk about something. He has no idea what Selectman Jasper was talking about; he should let them in on it.

Selectman MacLean said no one doubts Mr. Cole's sincerity for caring about the town, as proven by his record. Sometimes someone steps up to the plate because something affects them, but that is obviously not Mr. Cole's character. He's proven that. Continuing, she said Selectman Jasper has referred to e-mails, in the plural, and she has been in on all the e-mails, as well. There was only one, dated September 14, that she had in front of her, and there were two things in. She asked Mr. Cole to tell her he was just over-ambitious and probably used bad rhetoric, but would never do it again. Mr. Cole said she may get two out of three, but not to push for the third one. Selectman MacLean read, "... were I a sportswriter covering last night's Planning Board meeting of September 13, my headline today would be, 'People Win Round One.'" He goes on to say, "Last night was only round one." Every other e-mail Mr. Cole has written has been absolutely perfect—fair and unbiased and makes perfect sense—but those two sentences bothered her and what started her having to defend voting for him in the first place. She asked Mr. Cole to admit that, perhaps, he was just a little bit rambunctious at the time because it was the first meeting and he didn't really mean to sound like a fighter in the ring, and from now on he will sound like a judge, and not a boxer.

Mr. Cole asked why those two sentences offended Selectman MacLean. Selectman MacLean said it would be like Mr. Cole being on a jury, or being a judge, and the defendant said something, and he'd be like "YEAAAHH! AW'RIGHT," and then the other person says something and he didn't care. The judge is supposed to listen to both sides, not rooting for one or the other to win; he is fair and impartial. That's why it bothered her. It sounded like he was in the fight, and not a judge. Mr. Cole said he had referred to himself, in that particular missive, as a sports writer. Selectman MacLean agreed that he did. Mr. Cole asked if Selectman MacLean had a problem with the analogy he used. Selectman MacLean said she did. Mr. Cole she he was sorry she had a problem, but what he wrote was what he wrote, so she wasn't going to get any admissions out of him because he didn't know what she was talking about. Selectman MacLean said with language like that, it seemed that Mr. Cole would be harming the process. Mr. Cole said he appreciated and respected Selectman MacLean's perception.

Selectman Jasper said Mr. Cole knew exactly what he was talking about because Mr. Cole sat down with the Town Attorney to discuss the very issue that he is speaking to and, therefore, for Mr. Cole to sit there and say he has not idea what he (Selectman Jasper) was talking about, Selectman Jasper has to question Mr. Cole's veracity and if he has to question Mr. Cole's veracity, he has to question Mr. Cole's ability to sit on a board, such as the Planning Board. Mr. Cole thought he was present for a friendly little interview, but apparently that wasn't the case. Since Selectman Jasper brought it up, the Board did 'sic' the Town Attorney on him about three or four weeks ago to give his perception of reading an e-mail and to make a suggestion to him. He, the Town Attorney, and the Town Administrator were in attendance, at that time. Mr. Cole believed he responded to the Town Attorney, which is his right and within the RSA, with regard to disqualification from a land use board, with a message to give back to the Board. He didn't know if it was relayed, or not. Basically, he found the Board's collective—and he didn't know who voted on what, because it was probably in attorney-client session—approach of sending the Town Council after him, to basically intimidate him and try to get him to be quiet and hush up and go away, he found distasteful, disgraceful and an embarrassment to the people who elected all five Selectmen, collectively. He knew *exactly* what Selectman Jasper was talking about and suggested that the Board please, please do not sic the Town Attorney on him, or any other member of this community, ever again and try such a heavy-handed, distasteful and disgraceful tactic.

Selectman Jasper said Mr. Cole had just given a very inappropriate and inaccurate description of what happened. There were concerns about that e-mail, and others, and the Board asked the Town Attorney to review tapes and e-mails and give an opinion. The Board did not sic the Town Attorney; the Board did not suggest to the Attorney, one way or the other, how he should come back with a recommendation. He did that, based on his review in the legal sense and it's very unfortunate Mr. Cole has taken it this way. Had Mr. Cole merely admitted that he know what Selectman Jasper was talking about, what Mr. Cole has done since then, they would not have gotten to this place. It was Mr. Cole's lack of being able to acknowledge what Selectman Jasper was talking about that brought them to this point, and that goes to the heart of the issue.

Chairman Maddox said the Board did not 'sic' the Town Attorney on Mr. Cole. The Board was simply protecting its interests, as a town, with some of the statements Mr. Cole has made. Chairman Maddox just wanted to make sure everyone was on the same page, so it was not 'sic-ing' the attorney on Mr. Cole.

Brion Carroll was out of town, and unable to be present.
Jeanne Johnson was interviewed earlier.

- F. Recreation Committee (2 members, terms to expire 12/31/09)
Michael "Mick" Regan (incumbent member, reapplying) was coaching and unable to be present.

Jeanne Johnson was interviewed earlier.

- G. Sewer Utility Committee (2 members, terms to expire 12/31/09; 1 member & 1 alternate, terms to expire 12/31/08)
Donald Gowdy, 1 Lorraine Street (incumbent member, reapplying)

Mr. Gowdy said he's been in town 45 years, so he knows what's going on. He'd like to be appointed to a second term on this committee, a very important committee because the town is expanding so fast. With the new project coming on, it is going to be a little difficult in the future with what they are going to do. Chairman Maddox asked if he was a sewer user. Mr. Gowdy said yes, for 45 years.

Catherine Valley (incumbent member, reapplying) was unable to be present tonight.

Michele Bolton, 60 Central Street.

Ms. Bolton said she has lived in town for 14 years. Prior to being a teacher, she was a chemist, spending three years at the Nashua Waste Water Treatment Plant, where she was certified as an Operator Two for the Sewer Department. Her interests are in conservation and environmental science. Her undergraduate degree was in Environmental Science with a focus on biology. In addition to knowing the mechanical processes involved with waste water analysis, etc., it's also a chemical thing, and she is aware of all of that—the primary treatment through tertiary treatment. Earlier Selectman Massey had asked Mr. Manor the most important things coming up with the new proposal for the NRPC and her response to that would be traffic impact, as well as storm water management, being as it's right by the river. Chairman Maddox asked if she could handle both Sewer Utility and Solid Waste committee. Ms. Bolton said yes, since Sewer Utility meets once a month and Solid Waste meets occasionally. She really wanted Conservation Commission, but that was too much of a commitment for her. Selectman Massey invited Ms. Bolton to the Sewer Utility meeting Thursday night.

Bernard Manor was interviewed earlier.

Jeanne Johnson was interviewed earlier.

- H. Solid Waste Committee (2 members, terms to expire 12/31/07; 1 member, term to expire 12/31/08)

Michele Bolton was interviewed earlier.

Jeanne Johnson was interviewed earlier.

Selectman Jasper questioned the mission of this committee, at this time. Selectman MacLean said Ted Luszey, a Budget Committee member who is also on the Solid Waste Committee, thinks it's never too early to start looking for alternatives, a better plan, etc. They could even review the new contract. Selectman Massey said the critical component of that committee should be expanded to include the recycling, which they would probably take up under Old Business tonight. He believed that if they go down the road that is possible, they would definitely want that committee to be heavily involved with recycling efforts. He didn't see it going away, depending on how they handle the contract. Selectman Jasper thought the committee should focus on recycling, with the contract they're going into. Selectman MacLean said this committee should have been reconstituted sooner. Chairman Maddox said they can't keep dumping because that cost is only going to go up. This isn't a glamorous committee, but very useful.

(Start Tape 2-A)

- I. Water Utility Committee (2 members, terms to expire 12/31/09; 1 member, term to expire 12/31/07) Chairman Maddox said only one member can be a non-water user, and currently that member is Jeff Rider.

Leo Bernard, 3 Bungalow Avenue (incumbent member, reapplying)

Mr. Bernard said he's been on the committee for two years and has attended every meeting. He'd like to be reappointed for another term. Chairman Maddox said he didn't include a reason for reapplying and asked if he was looking to bolster where they were going or if he could see any improvements they can make. Mr. Bernard said there was going to be a lot of activity with the south Hudson water tank, and there are a lot more plans coming in, and he just wanted to be a part of that.

Ray Rowell, 6 Marshmallow Path (incumbent member, reapplying)

Mr. Rowell said he was currently a member of the Budget Committee, serving his second term of a three-year term. He is currently on this committee and is interested in the infrastructure of the water on the north and south ends, knowing they have some problems with the water tanks that they want to put in. They want to increase the infrastructure for the safety of the town. He added that if there were no other applicants, he'd be interested in serving on the Solid Waste Study Committee, as well.

Ed Thompson, 22 Burns Hill Road

Mr. Thompson said he has lived in Hudson for 13 years, sitting on the sidelines, watching and attending Board of Selectmen's meetings and Planning Board meetings. He decided to get off the sidelines and start getting involved in his town, which is very important. They have a good group of volunteers for the different positions. His background is in mechanical engineering, originally starting with a biology degree. He's been working in the biotech area for over 15 years, holding several different corporate positions over the years. He'd like to use his background and technical experience by contributing to this committee. Selectman Massey invited him to the next Water Utility meeting, noting that Mr. Thompson's capabilities, fluid dynamics in particular, would be valuable to the committee. This committee is also in the process of

formalizing a set of rules and regulations and policies, so there is going to be a lot of text manipulation in terms of proofing, etc. He encouraged Mr. Thompson to attend the meeting on the 20th at 5:00 and asked if that time would be a problem. Mr. Thompson said the time was fine. He has also talked with Jeff Rider over the weekend about background qualifications. He had wanted to attend a meeting before he applied, but he was unable to. Mr. Rider told him there were no qualifications spelled out; it was a matter of how the Board of Selectmen felt, whether or not their background was going to apply. Selectman Massey said Mr. Thompson, in looking at his background, would bring a great deal of expertise to the committee. Chairman Maddox asked if he was a water user. Mr. Thompson said both a water and a sewer user.

Jeanne Johnson was interviewed earlier.

J. Zoning Board of Adjustment (2 members and 1 alternate, terms to expire 12/31/09; 1alternate, term to expire 12/31/07)
Brad Seabury (incumbent member, reapplying)

Mr. Seabury spoke in strong support of Mary Ellen Davis, adding that she would probably be the next chairman of the ZBA—next month, if the Board doesn't reappoint him. He has been a Hudson resident for 41 years and on the ZBA for 26 years. There has been a lot of discussion tonight about qualifications. He believes they are important, with the biggest one being commitment. In 26 years, he has missed two meetings, one of which was to go to another state to save \$150 on a fine. That's the kind of commitment that all of the positions need. He thought the best chairman of the Zoning Board was Marilyn Gagnon, and one of her comments was that the important requirement was just to have common sense. Selectman Jasper praised Mr. Seabury's record, saying he didn't think anyone served on a board for 26 continuous years. Selectman Massey served on the ZBA with Mr. Seabury in 1982 and agreed they were fortunate to have Ms. Gagnon as the chair of that board during a very turbulent period in the town. She had a calming influence on everyone and was a tremendous asset, as is Mr. Seabury. Mr. Seabury said he keeps trying to get her to come back.

Mary Ellen Davis, 14 Nathaniel Drive (incumbent member, reapplying)

Ms. Davis said she has been a Hudson resident for 12 years and a member of the ZBA for about four years. She started as an alternate, moved on the clerk and now is a permanent member. She feels they should all give back to the community in some way, and she has found her niche. She truly wants to be there. She enjoys it. She enjoys trying to help the town and the people before them, making good decisions for both—and for the abutters that may be impacted. She thinks those who have seen her in action would agree that she has made good, sound decisions. She has a lot of common sense, and she has the commitment. Seeing that it was Christmas, she hoped she was on the 'good list' and the Board would reappoint her.

Jeanne Johnson was interviewed earlier.

Chairman Maddox thanked everyone for applying--glad to see new faces and the old faces. Most people watch the Selectmen on television, but it is the boards and committees that make the town what it is. Appointments will be made on December 26.

6. CONSENT ITEMS

Selectman MacLean removed C, Acceptance of Minutes, for separate consideration. Motion by Selectman MacLean, seconded by Selectman Nadeau, to receive the consent items, A, B & D, as noted or appropriate, carried 5-0.

A. Assessing Items

- 1) 2006 Abatements (Map 142/Lot 024; Map 165/Lots 003, 004 & 016; Map 198/Lot 112) w/recommendation to approve.
- 2) Veterans Tax Credit and Abatement (23B Holly Lane) w/recommendation to grant.
- 3) 2006 Abatement (Map 178/Lot 013/Sublot 016) w/recommendation to approve.
- 4) 2006 Abatement and Supplemental Tax Bill (Map 178/Lot 013/Sublot 002) w/recommendation to approve.
- 5) 2006 Abatements (58 and 76 River Road) w/recommendation to approve.
- 6) 2006 Abatements (Map 241/Lot 70; Map 182/Lot 222) w/recommendation to approve.
- 7) Current Use Lien Releases, Boyd Road (Map 106/Lots 45-2, 44-2, 44-3) w/recommendation to approve.
- 8) Tax Deferral Application for 2006 Property Tax Year (54 Willow Creek Drive; 12 Sullivan Road; 8 Sunland Drive; 7 Alpha Street) w/recommendation to grant.
- 9) Veterans' Tax Credits (6 Stoney Lane, 47 Bowes Circle, 21 Shoal Creek Road, 5B Brackett Lane, 21 Barbara Lane, 12 Bonnie Heights, 16 Ledge Road, 8 Daniel Webster Drive, 118 Belknap Road, 1 Andrews Avenue, 7 Wayne Street, 10 Cottonwood Drive, 7A Mark Street, 3 Lexington Court, 44 Overlook Circle, 12 Mission Lane) w/recommendation to grant.

B. Licenses & Permits

Raffle permit request by Deric Witting to hold a raffle on December 25 at noon at 21-B Rangers Drive for autographed photos of Patriots Players, Vince Wilford & Eugene Wilson, with the proceeds to benefit City Year and the Larry Izzo Foundation.

C. Acceptance of Minutes

Board of Selectmen's Meeting Minutes of November 28, 2006

Selectman MacLean referred to Page 8, during the exchange between her and Representative Renzullo, during which he said, when referring to the senior center, he thinks it has been pretty well decided—there’s enough people who have shown up. She watched it on TV, and heard it again. She thought that should have been captured in the Minutes because it was an important statement. She asked Priscilla to double check and, in fact, it was there. She left it out because it wasn’t said as a full sentence, but Selectman MacLean wanted that phrase included in the Minutes, in the second line of the second full paragraph, after “this is to get the ball rolling, to get the planning started for a senior center.” The insert should read, “He thinks it has been pretty well decided; there’s enough people who have shown up.”

Selectman Jasper said he’d have a hard time inserting that because he didn’t understand what that means and half sentences just clogs the record. Chairman Maddox asked for the exact wording Selectman MacLean would like inserted. Selectman MacLean said, as Priscilla had written it, “He thinks it had been pretty well decided; there’s enough people who had shown up.” This is in reference to the senior center, when Mr. Renzullo had said this was to get the ball rolling, to get the planning started for a senior center. He continued to say that it has been pretty well decided, and she’d like that to be in the record.

Selectman Massey asked a question on the insertion, for clarification purposes, calling it her suggestion. Selectman MacLean said it wasn’t her suggestion; it was what Representative Renzullo said. Selectman Massey said he would second the motion. Chairman Maddox said perhaps they should just have Priscilla rework this section, and include it verbatim. It looks like partial statements, partial sentences to him. Selectman MacLean said that’s why Priscilla left it out, because they weren’t full sentences. It went from one thought to another, but it was said and it is an important statement, whether it was a half statement or a whole statement. It was said, and needs to be in the record.

Selectman Jasper said they don’t generally do verbatim minutes. What is included are things that add to the discussion. Unfortunately with the statement, “it has been pretty well decided,” he wonders what has been, and by whom. By adding that sentence, the lingering question remains as to what has been decided and by whom. It just muddies the water. It was a thought by Representative Renzullo, but it leads to a conclusion in the Minutes that something has been decided by somebody and you don’t get the answer to that in the Minutes. Selectman MacLean said that’s exactly her point. It was said and she can understand what it means and she thinks it needs to be in the record. Selectman Jasper said he didn’t understand what Mr. Renzullo was talking about and he didn’t understand who it was decided by. To start putting things like that in the record, it will become verbatim, and they don’t do verbatim minutes. There is a tape if someone wants to see something. The record needs to be clear and cleaner, and Priscilla does a good job with that. Perhaps the reason she left it out was because it does beg a couple of questions that go unanswered. He didn’t know how it would be included, at this point. He didn’t know what has been decided, or by whom.

Selectman MacLean said that was her point, who decided what? It says it has already been decided about the senior center, and talking about verbatim, these Minutes are 16 pages long. She was adding only one sentence that was said that she feels was important. Everything that Selectman Jasper has said is all the more reason it should be in the record. Selectman Massey wouldn’t have any problems with it inserted in the record, but if it is inserted in the record, they have to be clear that nothing, “has been decided,” by this Board. If he were going to do it, he’d put it in quotes, so it’s clear that it’s only one person’s opinion. He would support Selectman MacLean’s request, and why he seconded it, but he asked that it be put in quotes so it’s clear that it is one person’s opinion. Selectman MacLean said she’d be happy to defer this to the next meeting so Priscilla could re-write it in quotes, exactly as it was said. Chairman Maddox thought it would be helpful to see the exact text.

Motion by Selectman MacLean, seconded by Selectman Massey, to defer the acceptance of the November 28, 2006 Minutes until December 26, carried 4-1. Selectman Jasper voted in opposition.

D. Calendar

12/13 Last day to accept zoning petitions
12/13 7:00 Budget Committee in BOS Meeting Room
12/13 7:00 Planning Board in CD Meeting Room
12/14 5:30 Sewer Utility Committee
12/14 6:30 Recreation Committee @ Rec Center
12/14 7:00 Budget Committee in BOS Meeting Room
12/14 7:30 ZBA in CD Meeting Room
12/18 6:30 School Board in BOS Meeting Room
12/19 7:00 Cable Committee in CD Meeting Room
12/19 7:00 Budget Committee in BOS Meeting Room
12/20 5:00 Water Utility Committee in BOS Meeting Room
12/20 6:00 Library Trustees in CD Meeting Room
12/21 7:30 Budget Committee in BOS Meeting Room
12/21 7:00 Open Space Committee in CD Meeting Room
12/25 Town Hall closed for the Christmas Holiday
12/26 7:00 Board of Selectmen in BOS Meeting Room
12/27 7:00 Budget Committee in BOS Meeting Room
12/28 1:00 Trustees of the Trust Funds in BOS Meeting Room
12/28 7:00 Budget Committee in BOS Meeting Room
12/28 7:00 ZBA in CD Meeting Room

7. **OLD BUSINESS**

A. Motions taken following Nonpublic Session on November 28, 2006

Motion by Selectman MacLean, seconded by Selectman Jasper, to hire Patty Barry as a temporary, full-time employee in the Town Clerk's Office for a 6-month period, from December 4, 2006 to June 1, 2007, at \$13.32 per hour carried 4-1. Selectman Maddox voted in opposition.

Motion by Selectman MacLean, seconded by Selectman Jasper, to make a temporary increase in hours, from 29.5 up to 40 hours per week, for Amy McMullen, part-time secretary, for a limited time, to end upon the Town vote on March 13, 2007, carried 4-1. Selectman Maddox voted in opposition.

Motion by Selectman MacLean, seconded by Selectman Jasper, to give a temporary salary increase and position reassignment to Amy McMullen, part-time secretary, to Administrative Aide, from Step 4, \$15.01 to Step 2, \$15.33, for a limited time, to end upon the Town vote on March 13, 2007, carried 4-1. Selectman Maddox voted in opposition.

Motion by Selectman Massey, seconded by Selectman MacLean, to hire Kalie L. Lydon as the Police Prosecutor, a non-union position, effective December 3, 2006 at \$62,000; \$64,000 on April 1, 2007 and \$66,000 on July 1, 2007, with 15 days of vacation per year, carried 5-0.

Motion by Selectman MacLean, seconded by Selectman Massey, to forward to the FY2008 warrant, the multi-year contract negotiated between the Board of Selectmen and the Hudson Police Union, AFSCME Local #3657, for wage and benefit increases, carried 5-0.

Motion by Selectman Jasper, seconded by Selectman Massey, to adjourn at 10:55 p.m. carried 5-0.

B. Solid Waste Trash Contract

Road Agent Kevin Burns was recognized, who introduced Patrick Corcoran, President of Corcoran Environmental and Ed Ferrari, Director of Municipal Development and Ed Roy, Transportation Coordinator, both out of the Manchester office. Mr. Roy is also a resident of Hudson. Mr. Burns said the last time they spoke on this, it was the last day of budget deliberations when he had come forward with a recommendation relative to the level of service the town would provide in order to punch a number into the budget. He prepared a contract on what the Board had decided on, and put it out to bid. Chairman Maddox said he had a number of questions. On election day, he spoke to about 1,000 people because they had the totes at the hall for people to see. Trash is a very hot topic, and he was glad to meet face to face the people who would be signing the multi-million dollar contract. About 80% of the people he spoke with on election day felt recycling made the most sense and would help keep the price down. Some people wanted to stay with what the town had—pick up anything and everything—and a few who wanted to go to a transfer station. Selectman Massey wanted to make sure the people knew that the Board has not yet awarded a contract for solid waste disposal, effective July 1, 07.

Chairman Maddox said the number one question on election day was why only one size? Mr. Burns said the main goal of the program is to encourage recycling. If they make it so people don't need to recycle, they will probably do what they are doing now and not recycle. The town's recycling numbers at 11% are terrible. If people get the larger cart, they will continue with wholesale dumping. Mr. Corcoran thanked the Board for inviting them to the meeting, saying they are trying to promote recycling without using the word 'mandatory.' Forcing customers to do something is very difficult, and he's been doing this for 15 years. If they can encourage, promote, educate, people will recover as many materials as possible, in order to keep the cost down. The concept of one house having a 64-gallon and another having a 96-gallon, it would be difficult to negotiate a fair price from a vendor who they buy the equipment from, knowing that half the order is going to be one size, and the other half, another size. When placing large orders, you really want to get a consistent, low price so they can put that equipment out there, effectively. They have talked about making exceptions for some folks. Chairman Maddox clarified that they would pick up either/or. Mr. Corcoran said yes.

Chairman Maddox said the town has some pretty challenging roadways, such as Wason Road and Bush Hill. The present contractor is pretty much able to pull over almost off the road because people are throwing stuff into the back. He wondered how that would work with a mechanized arm. Mr. Corcoran said, as their sub-contractor Pinard Waste was doing in other communities—Dover and Manchester—the driver will get out of the truck and bring the toter to where the truck can pick it up. Chairman Maddox didn't want to see that truck block major routes; if they are on Wason Road at 7:30 in the morning, traffic will be backed up worse than with the school buses. That's a concern, along with all the hills in town.

(Start Tape 2-B)

Mr. Corcoran said they presently service the city of Manchester, a much larger community, and any problems are addressed immediately. If it's a problem that persists, the sales team goes out to investigate it to see if there is something they can do differently. Maybe change the routes and go down the street instead of up the street, etc. It's a learning curve that takes place within the first three months of any contract. They will have all bugs ironed out and this isn't the first time they've done this stuff. This is the largest single contract for Hudson, but they have a handful of large responsibilities, both commercial and municipal. Mr. Burns said they have driven all around the town and

supplied them with aerial photographs, showed them the condo complexes, etc., just to make sure they feel it is doable. He didn't want to get into a contract and find out they can't service a given area. They canvassed the town to make sure it's something that can be accomplished. Chairman Maddox said he was just trying to bring forth some of the questions and concerns that were posed to him, and they are good questions that need to be answered before the contract is signed. Selectman Massey said Harrison Street in Manchester is pretty hilly. He asked what their experience has been in having to pick up Belmont east, on any of those hill streets. Those are the type of topography they are going to see more of than they would the entire reach of Hall Street, Bridge Street or Maple Street. Harrison east of Belmont is more apt to be the kind of street they will experience in Hudson. Mr. Roy said any topography in any town is always a problem, but they have good drivers, who have overcome any issues they encounter in the neighborhoods. They are the front line guys and they have a very good relationship with them and they do a very good job. Selectman Massey asked what kinds of problems, if any, they have experienced on those streets in terms of being able to do the pickups on the hills. Mr. Roy said most of the problems they have seen are blocked materials; blocked recycling bins because there is a lot of on-street parking. When a phone call comes into the hot line, that's one of the first questions they ask—if something was blocking the material in question. If there was a missed pickup, they get back out there to resolve it, either that day or the next day.

Chairman Maddox asked if Pinard has backup equipment, in case the truck is broken down, or if several trucks are down in other towns and they need to spread their resources around. He wanted to make sure Hudson's needs are met. Mr. Burns said they have 40-50 pieces of equipment, so he believed there was sufficient backup. Mr. Corcoran said Pinard has done a marvelous job of reservicing the city of Manchester. When there is an issue of a missed pickup, or something like that, you couldn't ask for better customer service because they are looking to gain a foothold in this region, even deeper than they already have. They are top-notch and he is absolutely 100% pleased with their ability. Mr. Burns said they have missed pickups now, and they do it by hand.

Chairman Maddox asked about damaged toters, if they blow down the street or get crushed by any number of vehicles, such as a plow. Mr. Roy said it's a case by case situation. A lot of people say someone stole their toter. One lady went around and picked up 60 of them and stored them in her cellar. Mr. Corcoran said each toter is given an ID number by bar code, which is assigned to each house. If it's a repeating problem, they will be paid a visit. Other than that, the company they are buying the toters from have replacement parts—lids, wheels, etc. That's the whole point of the hot line—customer service.

Chairman Maddox asked about the \$30 pickup fee for bulk items. He assumes it is for the truck, probably with two people, to go out with a piece of equipment. Mr. Corcoran said that was correct. Chairman Maddox asked if that included a tipping fee. Mr. Corcoran said yes. It covers the cost for labor and disposal. Chairman Maddox said if they came to pick up a couch and a loveseat, it costs \$60, and he wondered why there wasn't some sliding scale, since they are already there for one piece. It's not like they called one week for the couch and the next week for the loveseat. Mr. Corcoran said he still has the labor and he still has the disposal and they pay a per-ton disposal. They had to be relatively fair when they came in with that price. Some items cost more and some items cost less to get rid of than the \$30 when you add in labor, fuel, tires, truck time, etc. Selectman Massey asked if a table and four chairs would be \$30 or \$150. Mr. Corcoran said they haven't really worked through some of the details. Mr. Roy said the landfill would be opened eight times during the year for metal, wooden materials, etc. where there will be dumpsters. Mr. Burns said Hudson is the only town who has had free pickup. Every other town, pickup is per item. He works for the people of Hudson and will make sure that they get a fair deal. To him, a kitchen table and four chairs is a set--\$30. A loveseat and a couch are two large, separate items. He is always available as a mediator for the residents, if they feel they haven't been given a fair shake, and he'll go to bat for them. It's a learning curve, but he's going to make sure everyone gets a fair deal, including the residents and the contractor. Chairman Maddox said they are going from a system that picks up anything and everything to a much more confined program, where all the trash has to be fit into the toters.

Selectman Jasper said there is, obviously, a lot of concern from residents about that. They had been talking about having the landfill open because they weren't going to take those items and maybe take them and pay for them on a per-ton basis may solve a lot of that. If you want to pay for them to come out, it's \$30 an item, but if they are willing to bring it to the landfill, maybe they ought to include that in the tonnage. Mr. Burns said that option is available, if they want to accept bulk items on cleanup days. They are renting the eight cans and pay a per-haul fee and are paying per-ton for what goes in those cans. If the Board wants to make those eight days per year available for bulk items, that is fine because he can make a couch pretty small with the excavator. For the last 18 years they've allowed that because they weren't paying per ton; they were paying for cans, so he made sure the cans were full. He did the bid, estimating what the current tonnage is, so it won't change the bottom line, but it won't help reduce the bottom line, either. This isn't something that affects the contract; it would be done internally. This might be a middle of the road alternative. Maybe he went too far, too fast. He was tasked with doing something about the escalating cost of the trash contract, and maybe he changed the whole process too rapidly. Perhaps this could be a compromise to tell the people that if they want their bulk items picked up, it's \$30, but if they bring the items to the landfill, the town will get rid of them for free. Selectman Jasper said he really thinks that is the way to go because one of the main things they are trying to do is reduce the tonnage through recycling, but they won't be recycling Grandma's living room couch. That's what people don't want to see; a drop in that type of service. This is a fair trade, and one he would support—an excellent solution because it doesn't increase their tonnage because people are still going to get rid of the stuff and it won't cost them anything. They just have to make a little effort. It won't change anything from what they are already doing at the landfill. Selectman Massey said an estimate was made in the bid specs for a certain amount of tonnage at the dumps. If

the town adds additional tonnage, they change the bid specs. Mr. Burns said no, he estimated the tonnage at the landfill by historic level, figuring that eliminating bulk items would bring it down, but when he went out to bid, he wasn't sure what system they were going to go with, or what would be approved, so he bid 400 tons, which is historically what they generated at the landfill, excepting bulk items. They were going to back bulk items out, which would have brought the tonnage down and saved money. Selectman Massey asked if the bid from Corcoran was based on a reduced tonnage, or if was on the historic tonnage. Mr. Burns said on the historic tonnage. Selectman Jasper said moreover, Kevin has used the estimate for what they are picking up curbside now, which includes the bulk items that are going there, so the tonnage doesn't change, either way. The money is there to do what he is suggesting, without changing. Chairman Maddox said if the \$30 included the tipping fee, how are they doing it for no money now? Selectman Jasper said Kevin figured it in the ton. For every \$30 in every ton, that would have reduced what they were paying from the \$1.6 million. There just won't be a reduction in that \$1.6 million, based on furniture they are disposing of. He was on the liberal side in figuring his tonnage, so he wouldn't get caught short.

Mr. Burns said he was figuring this for a future meeting, once they got the program approved, but one source of revenue might be what the city of Nashua does. People have to go to town hall and buy a dump sticker, and the sticker has to be affixed to a vehicle, so that would be a mechanism to generate some income in order for people to bring their bulk items. If they use the \$30 for the dump sticker, they can go to the dump eight times a day, eight times a year. He goes up to the landfill on Saturday dump days, and the traffic is backed out onto Route 102. People come out of West Road and hang a left to go into Londonderry. They get a relative from Hudson to come with them, even though the Londonderry transfer station is just 3/10ths of a mile down the road because they have to pay at the transfer station. This happens a lot. Maybe they should consider a sticker that is permanently affixed to the vehicle that is registered to a Hudson resident and if they charge a fee for that sticker, it would offset the tonnage. Selectman Jasper said that was the only way someone could get into the old West Road landfill when it was operational. Residents would have to get a sticker from the Town Clerk's Office. He still has one on one vehicle.

Selectman Nadeau said a lot of people are concerned that the one-time \$75 fee for a second 64-gallon tote was a yearly charge. Mr. Burns said it was a one-time \$75 fee for the five-year contract. Selectman MacLean said this contract was a huge change, and people are resistant to change, especially people who are creatures of habit, like she is. She thought the first step would be to bring bulk items to the landfill for free. Maybe after the first couple of years, if they find that is too costly with all the tonnage, they could implement something with the sticker that brings in a little revenue. The idea of free bulk items at the landfill might be the gentlest next step. If it proves to be not fiscally sound, they could take the next step.

Selectman Massey asked what the practice has been in other communities for after-holiday pickups. On the day after Thanksgiving in his neighborhood, there are plastic bags of excess material at most residences and he believed a lot of that material is not recyclable. Mr. Corcoran said the practice has been to over-service (put more trucks on the road) their customers during high volume times. Selectman Massey asked what would happen if he has only one bin, but three bins worth of refuse. Mr. Corcoran said only the container would be picked up, not any plastic bags next to it. Selectman Massey asked what the experience has been in other communities for the after-holiday pickups in terms of the capacity of those containers to handle that type of excess. Mr. Corcoran said he has a household of six, and a lot of it is recyclable material. The whole program still goes to collecting as much recyclable material as possible. Selectman Massey asked about a contaminated recyclable can, when here is still significant residue left in it. He asked if all recyclable containers have to be clean and stripped of any labeling. Mr. Corcoran said absolutely not. He will take the dirty cans as recyclables. When recycling was introduced a few years ago, the technology wasn't there to handle a can that was dirty or wet newspapers. Now, very little of this is done by humans, with the exception of the material that is picked up. Automation allows the material to be separated through sorting lines, magnets, opticals, etc. Once it reaches a facility to separate the material, it won't be touched by a human. A can that has juices left, or a milk container that still has the top on will still be collected. Technology is at the point where it is user-friendly.

Mr. Burns said a lot of people were concerned that they couldn't get all their recyclable material into those square buckets, so it has been agreed that people can use their existing trash barrels for recyclables. Everyone who gets a tote gets a sticker that says, "co-mingled plastic and aluminum," and another label that says "cardboard and paper." There is a lot of storage capacity, if they use trash barrels for recyclables, or for leaves. Selectman Jasper said that is key and makes perfect sense because he has two of those square containers now, which gets filled up in an average week.

Chairman Maddox asked if people on Class VI roads have to bring their barrels out to a Class V road. Mr. Burns said anything serviced curbside now will be continued. If someone has to bring their trash out to the street because they live on a private road now, will have to do the same thing with the new contract. Robinson Pond Drive came to mind. Chairman Maddox said if Nadeau Farms ever gets built, they will have long drives. Selectman Jasper said they would have dumpsters. Selectman Massey said off of Musquash, there are some roads up there that when the sander goes in, it has to back out, and that's not a Class V road. Chairman Maddox said he was just asking the questions that were asked to him. They would have to bring their toter down and then their bags, or whatever they are putting in the back of their Volvo, to put in the toter. Mr. Corcoran said in other towns they service, they actually ride the roads with them and if the truck can get down a road, they will take it down there. If they can't get down a road, then they just can't. Mr. Burns said the only road he could think of was Robinson Pond Drive.

Selectman Jasper said that's the only one Waste Management doesn't go down now. They can build a little shed for their totes and put them in that during the week. Chairman Maddox said in his condo complex, people have to take them up the hills or down the hills to get them to the curb. On election day, they got a lot of input from a lot of people.

Selectman Jasper said he keeps going back and forth with the larger tote versus the smaller one, but the goal is recycling. Dover recycles 80% because they have a pay-as-you-throw system. If Dover can do 80%, 95% of Hudson residences can do it with a 64-gallon tote. Those who just can't, \$15 a year is a real bargain for 128 gallons a week. That is a lot of trash. They don't worry about compressing trash right now, but they can do a lot more to compress items, if someone has that much trash, particular when they are taking glass items and milk jugs out. He thinks he is back to the smaller tote because they really need to recycle. Landfills are filling up and they are going to be running out of space.

Chairman Maddox said the proposed number in the motion was \$1,690,000, but thought it might go over that, with the tipping fees, if they don't recycle as much. Mr. Burns didn't think so. Just going with the totes alone will take 10% off the disposal rate, without even getting people to try to recycle. Corcoran has already met with representatives from the school district about getting recycling into the schools and helping them with their solid waste costs. The expectation is the kids will bring the education of recycling home and it will mushroom. If the town recycles 50%, they would save over \$400,000—and that is a lot of paving a year, or a fancy fire engine. If they could just stop throwing it away and recycle it, they could save a lot of cash. Selectman MacLean said people have to give this their best shot and it can really work, but it is team work; they have to work together as a town and it will be great. Mr. Corcoran said they've put money in the project for educational outreach and will be spending time and money in Hudson because it is also in their best interest. They are building a single stream manufacturing facility in Manchester, starting in '07, that will take all the material that is collected from the streets of Hudson and other towns to be separated, using all of the technology he mentioned earlier.

Selectman Massey said he was absolutely cognizant of what Selectman Jasper said earlier; there isn't enough land in this country to continue to with the current waste disposal. As painful as it will probably be in the first three to six months, at some point in time they have to bite the bullet. If not now, when? Relative to having money in the contract to do the education, the critical time for that to occur is between now and July 1. However, Corcoran wouldn't get paid until July 1, so Selectman Massey asked if Mr. Corcoran was suggesting they would pay now and then be reimbursed in July, if the contract is awarded? Mr. Corcoran said he wasn't asked for money from the Board of Selectmen, aside from the regular monthly bill. Selectman Massey asked if Mr. Corcoran was spending his own money in anticipation of getting this program going on July 1. Mr. Corcoran said yes; he has to because he needs the program to be successful. Selectman Massey said it's absolutely critical that, in addition to whatever Corcoran does, the Board needs to reconstitute the Solid Waste Committee with an absolute mandate that recycling is the key watchword and that the real focus has got to be on education and being able to handle all of the questions that are going to be coming up. They need feet on the ground to do this and, reflecting back on the committee that originally created the, "You Otter Recycle," they did spend a lot of time educating the community on recycling. For whatever reason, that committee disbanded. It would be critical, if they award this contract, to make sure that function gets reconstituted.

Chairman Maddox agreed, saying they need to look beyond just that contract and the recycling. They need to look at where else and who else they have to worry about—toughening up town regulations so the sofa doesn't end up in Musquash Pond and, if it does, provisions to be able to deal with it. There's a whole bunch of things they need to look at and they are going to being able to put almost anything out at the curb to a more structured setup. Selectman Massey said he wants the record to reflect that it is imperative, going down this road, that they do what Mr. Burns and Selectman Jasper have talked about, to have a dump sticker on the vehicle that's registered to the license plate number for Hudson, NH and he'd prefer that it be at no charge because it will be a hard enough sell, changing their behavior patterns. It would be a nice gratuity on the town's part to have the stickers be at no charge. Chairman Maddox agreed with Selectman Massey that those are the kinds of issues the Solid Waste Committee could take charge of. They will need to get people in there who will work with Corcoran to not only recycle, but to look at those issues.

Mr. Corcoran said many of the communities they work with have solid waste subcommittees and have asked them to participate in those meetings. He pledged a member of his staff to participate in Hudson's, for a sounding board. He attends one or two of these types of meetings per month.

Selectman Massey said the public needs to be aware that there is a cost escalator clause in the contract, based on the Consumer Price Index for Boston and it would be calculated at the beginning of July 2008, July 2009 and so forth. This is just the first year's cost. The next year's cost will depend on what the CPI is. He'd like to be on record as saying this is the right thing to do. There's going to be a lot of pain for all of them. Nobody likes change. When you get to be his age, change becomes an even harder thing to do because you are so set in your ways, but it's the right thing and he would just ask people, if not now, when? Solid waste is a problem for the country. Selectman Jasper said while Selectman Massey is right about the 3%, that applies to the \$73 a ton and the other components; it doesn't apply to the \$1.69 million. They are going to save \$73 this year for every ton they don't put into the waste stream and they will save \$73 plus the inflation escalator for each of the outgoing years, for every additional ton. As Kevin has said, they have a tremendous opportunity to save. This is the first time they've had that opportunity. The recycling program they had before was really a joke. This is something they absolutely have to do. A lot of people out there are saying they can't do this, but they can if they really try. People are putting a lot of things in their trash that doesn't need to go there.

Paper makes up 80% of what they are putting in their waste stream right now and most of that can be recycled—paper and cardboard.

Motion by Selectman MacLean, seconded by Selectman Jasper, to award the solid waste and recycling contract to the low bidder, Corcoran Environmental Services, in an amount not to exceed \$1,690,000 for fiscal year 2008, effective July 1, 2007 through June 30, 2012, as recommended by the Road Agent and Finance Director, carried 5-0.

Chairman Maddox declared a break at 9:27 p.m. The meeting resumed at 9:35 p.m.

C. Joint School/Town Project (8 Pine Road)

Town Administrator Steve Malizia explained that there was a lengthy discussion at the last Selectmen's meeting regarding the boundaries of the property and he was tasked with having the Town Engineer review the surveys and the work that's been done to establish the property boundaries of the property the town owns. Town Engineer Tom Sommers and Civil Engineer Gary Webster both reviewed the property and the work done by the surveyor, plus reviewed some other survey plans for the lot. While they are not licensed surveyors, they concur with the results that were presented to them and they believe the town has a legitimate lot with the boundaries that have been identified. He also talked to the Town Attorney to determine if title insurance covers boundary disputes and it does not. If they were to have a boundary dispute, title insurance would not cover that dispute. The Board also asked for information from Mr. LaForest, who raised objections. Tonight, he brought a couple other pages of deeds, prior to the deeds they were talking about. Just having been handed that information tonight, Mr. Malizia didn't see anything different on the bounds. The town also does not have any stamped survey plans from Mr. LaForest for either his lot of the town's lot and he has presented no new information. It's up to the Board to determine what they'd like to do next.

Selectman Jasper said he had been concerned about the lot line, but he spoke with the Town Engineer today, who took measurements and they found the bound that is to the west of the town's lot, which was Selectman Jasper's concern. He had seen a little piece of land that was showing up as owner unknown on the tax map, which was a new occurrence. There are two lots that were part of the original subdivision from that original LaForest piece and, measuring back from that bound, they come right to the center of the brook, then they go 150' so he is satisfied that that lot is where it is supposed to be and where the town thinks it is, so he is ready to proceed. Selectman Massey said he walked the property today and it's pretty clear that the culvert is crossing a brook that's been there longer than the property has been subdivided, so the measurements taken from the center of that culvert do reflect correctly. Through this whole process, they learned that Maynard, in 1968, provided a certified plot plan that is substantially in agreement with the one that Mr. Granger did. His concerns have been satisfied and he is prepared to move forward.

Motion by Selectman Nadeau, seconded by Selectman Jasper, to go forward with the project with having the Community Development Department issue a building permit.

Selectman Jasper addressed his remarks to the Superintendent, the School Board and everyone else involved in the project that it was unfortunate this took as long as it did to resolve, but he hoped they understood it was important to make sure they weren't turning a piece of property over to someone and have them have to deal with the mess. At this point, they can be satisfied that there won't be a problem. Mr. LaForest has had his day in court, but hasn't been able to come with anything. The likelihood of him taking any further action is nil, but if he does, this Board is prepared to defend what it has done. He didn't want to turn a piece of property over to someone with a possible real liability. It has been very difficult for all involved and he was sorry it took this long. Chairman Maddox also thanked the students, who have patiently sat through all of this. They learned a valuable lesson—building a structure often doesn't take as long as getting it through the process. He thanked them for their time and patience.

Selectman Massey said if this passes, there are two 'administrivia' that needs to be taken care of and the Town Administrator should be tasked with making it happen. The town is going to have to provide some on-the-ground support to the project, brush clearing, etc. Chairman Maddox didn't think so because the school has a forestry program. Selectman Massey said they have to determine the split between the school district and the town on the sale price. Selectman MacLean said she was going to vote against the motion because she can sympathize more with Mr. LaForest. She didn't feel comfortable with the whole thing but, in no way, does that reflect her admiration and respect for all of them at the school and the whole project, in general. She supports the project, just not at 8 Pine Road.

Selectman Jasper said Selectman Massey raised a point that he assumed was all set—that there is already an agreement that the town gets the price for the land and the school gets the money for the buildings. Selectman Massey said they have to establish what those are. Selectman Jasper assumed the Board had already done that, way back when. Selectman Massey said no, that was one of the items that had not occurred. Chairman Maddox invited Mr. Alukonis to the guest table, who said he didn't have the agreement, but his recollection was that the town would get the value of the land and that was subject to determination, down the road. Chairman Maddox said the Town Administrator just handed him a copy of that document, so there is something in place. The town gets the money for the land and the school gets the money for the structures. Selectman Massey said he understood that but they haven't fixed what the land is.

Selectman Nadeau asked if they were going with the plan with no garage. Mr. Malizia said they've been granted a wetlands special exception from the ZBA to allow for a garage into the buffer zone. That has been adjudicated through the ZBA, so it's up to the Board what they want to do. Chairman Maddox said it was based on the drawing they had

from Mr. Granger. If they approve the motion, the garage would happen, but Selectman Nadeau can make a motion to amend that, if he so desires. Selectman Nadeau asked if they were comfortable with the boundaries and they don't have to move them. Mr. Malizia said the garage wasn't an issue. There was a wetlands special exception to be 16' or some number of feet into the buffer. The side of the house was the issue with the property line, but it wasn't the garage. Chairman Maddox said once the house was in, it's a moot point, anyway. If there was a legal decision, it would be for monetary. The plan before them has a garage situated on it, so that's the way he is voting. Selectman Massey agreed. Selectman Nadeau said then it was fine with him, too.

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

Mr. Alukonis said he understood the concerns and the Board of Selectmen conducted an entirely reasonable discussion.

D. OPAC Report/Proposal to start action to create a Hudson Senior Center

Town Administrator Steve Malizia said at the last meeting, the Town Engineer was asked to take a look at the number for the feasibility study (\$15,000). Having reviewed the proposal, the Town Engineer feels that is a reasonable number to use for the discussion. Chairman Maddox said it may be a reasonable number, but it was only half a loaf. It's important they include something with the rec program at Robinson Pond because if they are not tied together, they are going to have a report that says they need to do X, Y & Z to the Community Center to turn it into the senior center, but they still have a problem of what to do with all of the kids in the summer program. It is imperative for this warrant article, in order to do something other than get another study for building needs, they need to tie that project with putting a rec building at Robinson Pond.

Selectman MacLean asked when they decided to turn the Community Center into a rec center. Chairman Maddox said they didn't. Selectman MacLean said she was so confused, including the agenda wording. She asked if the OPAC report and the proposal to start action to create a Hudson senior center was related because she didn't see that in the OPAC report. She's not sure what it means. Are they going to evaluate the OPAC report and the proposal, or does the OPAC report propose that they do that because she didn't see that. Chairman Maddox said there's something in there that says there needs to be something done to put a building in place, and one of the suggestions was putting something at Robinson Pond. Selectman MacLean said it wasn't a priority, according to their report. Chairman Maddox said he couldn't see doing a study of what might be necessary to change that building that is now call the Community Center if they are not going to have a home to put in all of the kids they are now putting in there. Spending \$15,000 to say they need new bathrooms or handicapped access, etc., is all great... but. He asked if Selectman MacLean was making the assumption that's what they were going to do. Selectman MacLean said yes, that they were putting the cart before the horse. Why do they need a study to do something they haven't decided to do? Chairman Maddox said to get it on the warrant, they need to move fairly quickly, and this was a request from the Hudson Senior Council in Aging.

Selectman Jasper didn't think it was necessary to do them together. They can have the study, look at what might be there, then a proposal for what could be there, and then this summer, they should be tasking the Rec Committee to be looking at the possibilities that exist out there. In the case of the Community Center, the building is already there and they are just looking to see how they can retrofit it to make it useful, whether it is an addition off the side, or whatever. For a period of time, it might be reasonable to have senior activities going on there and rec activities going on there, depending on what the study shows. The Board has not had anyone other than the OPAC committee say this is a great idea for Robinson Pond. That's a task they need to give to the people who they charge with running the rec program. They can very easily come up with some drawings and ideas and see if it's feasible because the Board doesn't have any idea of what is feasible out there. They need to move forward with this and then immediately task the Recreation Committee to start looking at that.

Selectman Nadeau asked if it made more sense to move this to \$20,000 and put \$5,000 towards looking at the rec part of it down the road.

(Start Tape 3-B)

Selectman Jasper said when they just pull things out of the air at the last minute—and they are at the last minute now—they lose everything. If they had this discussion in August, they could be prepared for this. The OPAC committee has made a recommendation and they have something before them that's based on something. For the Board to decide tonight to throw some money in to take a look, they are going to lose the whole ball of wax. Maybe they will lose a year on doing something at Robinson Pond, but it doesn't mean there isn't a lot they can do at the Community Center, in the interim. They may actually gain a year, in some respects. It's premature to throw any more money out there. Selectman Massey said Selectman Jasper was correct. If they act in haste, they repent in leisure. He is prepared to support an article that would look at creating a feasibility of adding on to the rec center to make an addition that would be primarily for senior activity. He is not prepared to unilaterally say that the purpose of this is to make the Community Center a Hudson senior center. Neither is he prepared tonight to vote that a private organization will have control of that facility. He didn't have a problem with a private organization having a place they can use, he won't vote to turn the Hudson Community Center into a senior center. He will support the motion that for \$15,000, what would it take to add an addition to the Rec Center that would provide for the base services that have been identified for the seniors, a place to congregate and that the other part of the building would continue to be used for all the purposes it currently does. He has no problem, either, with charging the Rec Committee with coming back to the Board next year with a proposal for a long-term rec center. They won't solve anything tonight if they try to combine both of those.

Selectman MacLean said this whole thing is last minute. It's not that she doesn't support moving ahead, but they should probably take it by what the OPAC said was a priority, and go with that step and see where that leads them. Once they take the recommendations of the OPAC, they might see that there might not be a really big need, and the money would have been wasted. Discussion continued.

Selectman Massey said before they have a motion, if the wind up doing a warrant article and the Hudson Council on Aging is not going to support it, then they are spinning their wheels. He wants to know what it is they are asking the town to do, what they want to accomplish with the warrant article. Selectman Jasper said perhaps, more importantly, is what Mr. Renzullo was hearing him and Selectman Massey saying compatible with what he (Mr. Renzullo) was thinking. Mr. Renzullo said it's reasonable. If they look at the proposal that was given to the Board for their last meeting, basically it speaks to the Community Center as being the most amenable for use by the seniors. This is what the OPAC report said. That's really what he said in the minutes that Selectman MacLean seemed to have a problem with, or a question about. There are certain needs that are required for the seniors, including handicapped bathroom facilities, examining the entrance, the kitchen—and they do heat food there—office space, storage space, and the ability to adopt the facility. The idea is to have a place that is amenable for use by the seniors, but not to the total exclusion of anyone else because there are certain needs. He thinks they are talking around the same issue. The warrant article that was submitted as a possible article only says it's a study, what it would take to do this thing, not specifically go ahead and do it. It's just to have plans in place that, if they are going to do it, this is what it is going to cost and this is the best way to do it. It gives everybody a leg up and moves the peanut forward a little bit.

Chairman Maddox saw it as moving the peanut sideways, because if they don't have a real goal to take the rec program out of there, they are going to have to say this building is going to be multi-purpose, which could certainly change how this study comes back with a report. Mr. Renzullo agreed that they need to get something going, also, on the rec proposal at Robinson Pond, but they are not there yet, so why hold back work that can be done now, while waiting for something else to play catch-up? Something that's a lot more controversial, that will be more controversial because it's probably a larger financial outlay. There's going to be a lot more discussion around it because they are talking about areas at the pond, as opposed to just a modification of an existing building. He just wants to get things moving to show some tangible movement, which they haven't seen. Hudson doesn't need fuel; all they talk they do should create a lot of energy because that's all they do is talk, but they haven't done anything. This is a way to come to something, as a result of OPAC's ideas and a reasonable plan. Instead of moving the entire front as one, they can move this part forward and let the others play catch-up. Move, that's all; get the job done.

Selectman Massey wanted to set two scenarios to make sure that when they go forward, it won't be at cross-purposes with everybody. Scenario number one, the charge to the feasibility study is to reconfigure the existing footprint of the Community Center to address all of the issues that are in the submission Mr. Renzullo brought to them at the last meeting. Scenario number two is a charge to the people who do this study to add on to the building to provide for those services that the senior population would use that don't require the large hall, but to have provisions that they would be able to continue to use it. If they do scenario one, concomitant with the plan to go forward with converting that building to a senior center, would have to be a plan to take care of the rec center programs. They couldn't turn it completely over with the existing footprint to be nothing but a senior center, without having made provisions. Scenario number two, they don't have to, at the front end, address the rec center program because it's already there, but they would be providing a place that would be clearly identified as a senior facility, which would be an add-on to the building. If they move forward, he wanted to know which of those scenarios the Hudson Council on Aging is looking for the Board to do. Mr. Renzullo said the Council on Aging was really looking at both—looking at what it takes to make that building, including additions, if necessary and probably, usable for the Hudson Seniors and for other activities. He fully recognizes there is going to be a transition, as Robinson Pond comes on. That has to happen. You can only put so much in a 5-lb. bag. Selectman Massey asked if the study would have both alternatives. Mr. Renzullo said the study would be one alternative, one plan. This is what it's going to take to make a facility usable for the seniors, with all the needs listed. Selectman Massey said if he was an architect, and he is hired to do this job, he can either approach it by taking the footprint as is and accommodating all of the items, or he could take the footprint or he could take the footprint and add additional footprints to take care of additional needs that are described in there. If they do the first and ask the architect to take the existing footprint and reconfigure it to handle all the issues, then they do have the problem of what they are going to do with the rec center. Mr. Renzullo said that wasn't the intent. The intent was, and would stand corrected by his board, but he takes it to mean they are talking additions, as well.

Selectman Jasper, which he would normally agree with what Selectman Massey was saying, he thinks he forgot one important component. They have to leave the configuration of the hall as it is to accommodate the elections. It's the only place they can accommodate the elections. That has been one of the issues that the Seniors have always had. That is not a friendly facility to use as a center, and that's why it's important to say, going forward, they need to have a cozy home, and that addition to the side accomplishes that, both in the short and long term. Selectman Massey said he had no problems with that. Selectman Jasper said but Selectman Massey was saying if they do the other, they would reconfigure the existing building, but they cannot do that. Otherwise, they are facing a situation of going back to the disaster of trying to redistrict this town for voting because there is no other facility where all the people can vote in one location. Unless Selectman Massey is talking about doing that, regardless of the rec, or any other issues, they can't make that into a usable senior facility without putting that addition on the side. That has always been the issue the seniors have had since day one with that building. It's great for doing a lot of their functions, but it's not a day-to-day facility that most people think of as a senior center. Selectman Massey said that's why his alternative #2, which is an

addition, makes more sense than working within the existing footprint. Selectman Jasper said he was explaining why that is the *only* option, that working within the existing footprint of the building is not an option. Selectman Massey said he wouldn't want to totally—people can do things with expandable and folding partitions, etc.

Chairman Maddox recommended wrapping this up because they have a long night ahead of them, and hadn't even gotten through Old Business yet. Selectman Jasper said he was ready to make a motion. Chairman Maddox said he'd recognize Selectman MacLean first.

Selectman MacLean asked if Selectman Jasper meant, when he said "they need a cozy home," if the Hudson Senior Council on Aging needs to have a cozy home. Selectman Jasper said not the Council on Aging—the senior population of the town who would like to participate in senior activities, where people can come in, play cards, do senior activities, etc. That's what they've *been* talking about. Selectman MacLean said but they haven't even *heard* from the senior population in town. They've only heard from the Council on Aging. They need to hear from the senior population in town, and see what their interest is in all of this before the Board, that represents the town, goes out and spends taxpayer money. Renzullo asked how many she'd like here. Selectman Jasper asked if she'd like the hundred that participates to come down here. Realistically, these are the people that represent the seniors who are active in the programs that are currently available in town. These are the people that, when he goes to the senior center—the Community Center—he sees, the ones that represent the seniors. There are thousands of seniors out there that they will never hear from. He represents 40,000 people in the district and he puts his phone number and his e-mail address in the paper and he hasn't heard from no one. If he's not hearing from 40,000 in his district, she isn't going to hear from the seniors. The Hudson Senior Council on Aging is the only group of organized seniors, and that's what the town has supported. He didn't know what else he could say.

Chairman Maddox said they aren't going to solve this tonight, and they don't need to. This might be an item for a workshop. Right now, it is 10:10 p.m. and they still have a lot to do and a lot to talk about this subject. Selectman Massey said if they are going to do a warrant article, it has to be done now. Chairman Maddox said no, it does not. January 9th is the last day for petitioned articles. Selectman Jasper said he was tired of talking about this. Selectman MacLean said Selectman Jasper said these were the seniors that participate in the programs in town, but they are not town programs, they are a private group that do their own thing. She still didn't understand how they came to this. She didn't see it. She knows a lot of seniors, and there may be 100 that participate, but there are thousands of seniors, and they may not want their tax money to go to a private organization. Selectman Jasper said then they will get to vote in March. That's the beauty of this form of government. The Selectmen are only deciding what to put forward.

Motion by Selectman Jasper, seconded by Selectman Massey, to send to the warrant the following article—"Shall the town vote to raise and appropriate the sum of \$15,000 for an architectural engineering study to determine the feasibility of renovating and making additions to the community center, with the intent of creating a permanent Hudson senior facility."

Selectman MacLean though Selectman Massey had said he wouldn't support it if it had any connection to a senior center. Selectman Massey said he was supporting it because his understanding is somebody is going to draw up an architectural drawing that would show an addition to the existing building for the majority of senior activities—a place to drop in, play cards, maybe shoot pool, watch television, and maybe put a kitchen in. He is not restricting what is going to be in that addition. He is voting on the basis of what they would be charging a design firm to do, design an addition to handle a senior population.

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

Chairman Maddox said they were going to talk about the summer program, but due to the late hour, it would have to be put off this evening—but it was something that would have to be resolved.

E. Warrant Article for new Library

With Mr. Knowles or Ms. Creeden not present, Chairman Maddox recognized the liaison, Selectman MacLean, who said the Budget Committee told her she doesn't represent the library. Mr. Malizia said some time ago, the Board asked to have a warrant article written that would sell, by warrant, the properties located at 47 and 49 Ferry Street. Several years back, the town purchased those properties with the intent of expanding the current library in its current location. The Board asked that an article be written to tie in the sale of those properties to the construction of the bond of a new library. Before them was Attorney Buckley's attempt, in consultation with the DRA, to tie those two items together. The Board was being asked to forward a revised article to the Budget Committee for consideration that would raise and appropriate a sum of \$4 million, would have a bond authorization of some number—right now, it's \$3.7 million, and to authorize the sale of the properties at 47 and 49 Ferry Street, with those proceeds to offset the cost of the bond.

Selectman Jasper said there were a couple of things he didn't understand, and neither did Mr. Knowles, who spoke to him beforehand. He can almost see the nexus--the \$4 million to \$3.7 million would be \$300,000 but they got \$313,000. That number is grossly low, first of all. That ends up saying that, if they sell the properties for \$450,000 which is probably a more realistic number, they end up with \$137,000 going back to the general fund and not offsetting the bond. Mr. Malizia said that was correct, and he did consult with the attorney on that. The origination of the \$313,000 was what the town paid for the properties. It was a rational basis for advancing it. Mr. Malizia asked him why they

couldn't use the market value as a rational basis, and they can. Selectman Jasper said the most rational thing to him would be to say to raise and appropriate the sum of \$4 million, authorize the issuance of not more than \$3.7 and then to say, and to apply the proceeds of the sale towards this purpose. Then, if it's \$412,000 or \$450,000 it reduces that \$3.7 million further. Mr. Malizia said it was his understanding from talking to the attorney, that he hammered out this language with the Department of Revenue Administration so it would be "guaranteed" approval by the DRA. That is the nexus where this came from.

Motion by Selectman Jasper, seconded by Selectman Massey, to forward revised warrant article V for the construction of a new library to the Fiscal Year 2008 warrant, with the following change—not more than \$3.6 million and to apply the sale proceeds of up to \$400,000 towards this purpose.

Selectman Jasper said there's no way they'd get less than \$200,000 for each of those structures. Selectman Massey said he was prepared to say, "and to apply the sales proceeds towards the article." He originally thought they would have bonding authority of \$4 million on the assumption they may not be able to get any sale, but they know this is going to fly only if they can sell the properties. His concern is if they don't get \$400,000, if they are at the \$3.6 million.

(Start Tape 4-A)

In his mind, in order to cover the interest costs when the warrant article passes, they've got \$113,333 interest that's not currently in the Trustees' library budget. Selectman Jasper said it's in the warrant article. Selectman Massey said he didn't want that money to go into the general fund. Mr. Malizia said the \$400,000 was probably more accurate, if they look at the assessed value of the property, where it's approximately \$405,000. They have a rationale basis for a number. The reason it said \$3.7 was in the off-chance they didn't get the \$400,000 and only got \$350,000, because these will go out to auction, they've got some room—because it says up to. There will be a slight interest change that he will take care of because he's already looked at what it is at \$3.7. If it is \$3.6, it will probably be about \$103k. This is what the attorney and DRA have come up with and if they mess with it too much, it might not pass DRA muster. Selectman Jasper said if they get only \$380,000 they've got to find \$20,000 someplace else.

Selectman MacLean would like to see the \$4 million spelled out, as well as the other figures because people need to know what this amount really is, and they might not realize it just by looking at a bunch of zeroes. Selectman Jasper said the \$113,000 isn't a big deal, but the \$4 million should be spelled out. Chairman Maddox agreed the \$4 million would be spelled out.

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

F. Public Hearing/Acceptance of a Grant in the amount of \$358,600 for the Ottarnic Pond Cooperative Infrastructure Improvements

Town Administrator Steve Malizia said on July 25, 2006 the Board approved the submittal of a CDBG grant application for the Ottarnic Pond Cooperative infrastructure improvements, more commonly referred to as sewer and water improvements. The grant has been awarded to the town, which the Board needs to accept after holding a public hearing. Further, they need to vote to solicit proposals to hire a grant administrator. There is a clause in the grant that allows up to \$17,000 to have someone administer the grant.

Chairman Maddox opened the public hearing at 10:25 and asked if anyone in the audience wished to speak. There was no response, so he closed the hearing. Selectman Massey said his understanding was the appropriate person for the grant administrator would be the person who actually wrote the grant because they are familiar with the project—and they are prepared to do that.

Motion by Selectman Massey, seconded by Selectman Jasper, to accept the CDBG grant in the amount of \$358,600 for the Ottarnic Pond Cooperative infrastructure improvements, carried 5-0.

Selectman Massey said, for the viewing audience to understand, this was to replace the existing septic systems in this development with connections to town sewer and to put new water pipes in and connect to the water system by creating a betterment district. Mr. Malizia said it would also improve the flow of the water.

Motion by Selectman Massey, seconded by Selectman MacLean, to solicit written proposals from qualified firms or individuals to serve as Grant Administrator for the Ottarnic Pond Cooperative infrastructure improvements CDBG grant, carried 5-0.

Chairman Maddox said they should put this out to bid. This person may have a good understanding of the process, but so could three other people, and they are always looking for the best price.

G. Public Hearing on Proposed Ordinance 06-03, Hazardous Condition Ordinance

Town Administrator Steve Malizia said prior to this meeting, the Board met with the Fire Chief to discuss this proposed ordinance. This ordinance would give the Fire Chief the ability to identify and/or correct hazardous conditions, as they exist, primarily in single-family structures. Right now, the authority is for multi-family and commercial. This ordinance is an effort to protect the residents of Hudson. Two public hearings are necessary, if the Board chooses to do this. Chairman Maddox opened the public hearing at 10:28 p.m. and asked if anyone wished to speak on this. There being no response, he closed the hearing.

Motion by Selectman Jasper, seconded by Selectman MacLean, to send this to a second public hearing on December 26, 2006, carried 5-0.

8. **NEW BUSINESS**

A. **Public Hearing on Street Acceptances—Sunshine Dr (Greenleaf Estates); Paula Circle (Busnach Subdivision); Copper Hill Rd (Copper Hill Estates); and Serenity Circle (Serenity Estates)**

Town Administrator Steve Malizia said all of these streets have been reviewed by appropriate staff, with a recommendation to accept them. This didn't meet the December 1 deadline because they got caught up in public hearing deadlines.

Chairman Maddox opened the public hearing at 10:30 p.m. and asked if anyone wished to speak on this. There being no response, he closed the hearing.

Motion by Selectman Massey, seconded by Selectman MacLean, to waive the Board's policy, adopted October 14, 2003, to accept streets prior to December 1, carried 5-0.

Motion by Selectman Massey, seconded by Selectman MacLean, to accept Sunshine Drive (Greenleaf Estates, Map 149/Lot 2); Paula Circle (Busnach Subdivision, Map 191/Lots 24 & 25); Copper Hill Road (Copper Hill Estates, Map 223/Lot 43); and Serenity Circle (Serenity Estates, Map 138/Lot 5) as Town streets, carried 5-0.

B. **Waiver Request to Water Connection Moratorium, 13 Eavrs Pond Road**

Town Administrator Steve Malizia said this is a proposed single-family residence. In the south end moratorium, there are conditions for approval, one of which is to show that there is no reduction of pressure to the proposed whatever is being built. The applicant is required to submit information to the town to be reviewed by the consultant, Weston & Sampson with their model to determine there is no hydrogeological, etc., detriment to the town's water system. In this case, that has been done. They did the study and provided the data, reviewed and recommended for approval by the Town Engineer.

Motion by Selectman Massey, seconded by Selectman MacLean, to grant the request for a waiver and allow a single family residential connection for 13 Eavrs Pond Road, as recommended by the Town Engineer, carried 5-0.

C. **Proposed Warrant Article to assign Appraisal Responsibility to Assistant Assessor**

Assistant Assessor Jim Michaud said he put this memo in front of the Board of Selectmen. Back in 2002, the Legislature had passed a law that would allow the warrant article to be placed on the ballot, asking the legislative body to approve assigning the appraisal function from the Board of Selectmen to a person who has been approved by the Department of Revenue, as an assessor supervisor or project supervisor. In 2002, the then-Board of Selectmen didn't bring this up for discussion; it was just a memo to the Board. He was wondering if the current Board wished to entertain it. This came out of the property tax working group in 2001, as a result of the Sorrell decision, dealing with education funding. This tax working group opined that some of their Selectmen may not wish to have that appraisal responsibility, that they may wish to assign it. Mr. Michaud was not aware of any community that has done that, outside of communities, such as Manchester, that have a separate Board of Assessors in their city ordinance that have full responsibility to appraise property. He offers this for the Board to consider, and it's really just food for thought. He didn't have any recommendation; it was just information for the Board to consider.

Selectman Jasper said thanks, but no thanks. Selectman MacLean asked how transferring this authority would benefit the taxpayer. Mr. Michaud said he didn't go to that level. The only benefit might be to the Board of Selectmen in that many items the Board signs, such as Veterans' credits, elderly exemptions, disabled exemptions, etc., are pro forma, on the consent agenda so, if anything, it would free up the Board's time to focus on other matters. He didn't envision that the Board would be giving up any authority to approve abatements, settlements, money going back out, etc., but without any template to go from, he contacted DRA twice and they are not aware of any town that has done this. Selectman MacLean asked if it would help Mr. Michaud do his job better. Mr. Michaud said he would still need to establish some kind of chain of custody, as far as a document submitted, there's an approval, a date, things need to be put into the record, but information that wouldn't have to flow to the Board for a meeting. That would probably cut down of some of the department's work. The Board signs the MS-1, the ratio, and it is the appraiser, by law, for the community, assisted by Mr. Michaud. The legal authority sits with the five Board members, not with his department. Selectman MacLean appreciated his assistance. If Mr. Michaud were to become the assessor, would that change any legal liability or any liabilities that the town has? She didn't know how all that works. Does it protect the Board in any way? Mr. Michaud said he hadn't vetted this through legal counsel, or NHMA, for that matter. He is an employee of the town and the Selectmen are elected officials of the town. He assumed the town's indemnification policy would cover the town, either way. Selectman MacLean appreciated everything he said. She knows the Board members are the legal assessors, but they obviously can't send out the tax bills and assess the property, themselves. She knows Mr. Michaud does a fantastic job with all of that, but if he didn't have a recommendation for the Board, and it was just food for thought, they could just chew on it for awhile.

Selectman Massey said this may have some merit, but without due deliberation, he wasn't prepared to forward a warrant article. If the Assistant Assessor thinks it is important, he should come before them at budget time next year

with a proposal and to cover all the bases, among others that Selectman MacLean has covered because he's not in a position tonight to say whether it is good or bad. They don't have time between now and when things have to be finalized to chew on this. Chairman Maddox said this should have been brought to the Selectmen during the workshop so they could have had time to chew on it. At this point, as much as he's not a big fan of signing his name, it gives the Selectmen the overview ability to see what is going on. That's what they were elected to do, so he could not support doing any more than keep the status quo.

Selectman Jasper did not want to revisit this. He didn't want Jim to spend any time preparing any recommendation because assessing is the thing that affects the taxpayers of the town most directly because that's how their tax bill is derived. It is extremely important that there be a check and balance. They need to have an assistant assessor, hired to do that job, but the Selectmen provides the check and balance. They are the appeal mechanism to Mr. Michaud's decisions; the Selectmen are the ones who get to look and see what is going on. If Mr. Michaud, an employee, was to have the final authority on all these things, the Selectmen would very quickly become detached. People would come to them, asking them to go talk to the assessor. In cities, it is appropriate, where there is a board of assessors, but they act as a board, much in the same manner as the Selectmen. This is probably the Board's most important job in terms of how they affect the average taxpayer and it's not something they should even consider giving up.

Chairman Maddox said the consensus was that the Board didn't want to see this as a warrant article—and they didn't want to see it again until the Board asks for it. Selectman MacLean said Mr. Michaud, on his own time, has the right to look up all that stuff. Selectman Massey said he'd like to hear it, too, if Mr. Michaud wants to go forward with it, but at budget time next year. Selectman Nadeau said he was happy with the way they do it now. Chairman Maddox said he was, too, so Mr. Michaud should save his energy for another project.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Ken Massey said he'd try to keep it brief, but there were a couple of items he wanted to make the Board aware of. He did do some additional research and the two women who contributed the money to Center Common did so in 1928, and their names were Clara Brown and Alice Haselton. He thanked them very much and if anyone knows anything about them, the HLN would like to write a public interest article on them. Selectman Jasper said Clara Brown probably was either the daughter or widow of the Brown house, directly across from the Baptist Church that was torn down by the state a few years ago. That's probably why they cared about that area. He thanked Selectman Massey, saying that information was very interesting.

[They all received a copy of a Fiscal Benefit and Service Demand Analysis for RiverPlace. He read through it and believes it is incumbent on the Board to hire its economic company to review this. In some of the facts he looked at, he's not certain they interpreted the facts the way he expected. Either the Board as a whole, or a sub-committee, chartered by the Board—and that was his inclination—and given that it's primarily a Planning Board function, that it be the member and alternate to the Planning Board that, for projects that the town is going to be involved in that are not specifically under the purview of the Planning Board, that those two individuals develop the deliverables that they want this economic analysis to derive from, so when they contract with the individual, they will know, as a Board, exactly what they are going to get in the way of an outcome, and they will know when and how they are going to get it. If the Board is so inclined, that is his recommendation—they appoint the member and the alternate to the Planning Board as the people who craft, for the Board's final approval, any agreements on deliverables from these outcomes. He knows it is late, but if they just turn this document over, without any direction to the individual, that they may be missing some of the information that the Board thinks is critical and that the interpretation of the data is done, based on the Board's interest, not the interest of the people who drew the report together.

Selectman Jasper said that document was up in his mailbox and he hasn't looked at it, so Selectman Massey might as well be speaking Greek. Until he has had an opportunity to get a basic understanding of what Selectman Massey was talking about, he couldn't make a decision. Selectman Massey said they could take this up on December 26. Selectman Jasper said he didn't have a clue to what Selectman Massey was talking about. Selectman Massey said that was fine because they just got it in the last few days, but he asked the IT department that, as they start getting this type of document, that when they post it to the town's web site, that it's clearly marked as submitted by the applicant, so there is no uncertainty as to whose document it is. The town's document will be another document, filed in that area. They should expect to see this very soon because they've asked the company to provide an electronic copy.

Selectman MacLean said she got her copy and read through the whole thing, too, highlighting it here and there. She thought that was what VHB was supposed to do—read it and represent the Board. Selectman Massey said they can't represent the Board if they don't know what they are representing them for. It's imperative that the Board is clear on what it wants from the consultants and he is sensitive to Selectman Jasper, who needs to review it, too. There is no compelling reason to act on this tonight; it can be an agenda item for December 26.

[Selectman Massey said at the joint meeting between the Board of Selectmen and the Planning Board, there were several items that came up for discussion as to deliverables from the consultant. To say the least, he was a little concerned that they heard, for the second time, "I can get that for you in the next couple of weeks." Since he is the liaison to the Community Development Department, and the Community Development Director is the point person for RiverPlace, he has scheduled a meeting with Sean Sullivan and Marty Kennedy from VHB, who has been responsible for providing this, on Friday at 10:00 a.m. The purpose is to reiterate what they are after and to make them understand that when they ask for things, they expect them in a timely fashion and to get them for what the Board is after, and this is going to the point that Selectman MacLean made, they need to be clear, in

writing, what the deliverable is so that there is no ambiguity or mistake or misunderstanding as to what the Board was expecting to get in return. That's going to be the outcome of the meeting. It is going to be a meeting at which, as far as he is concerned, and he's talked to the other member of the Planning Board, who happens to be the Chairman, that they can't tolerate any more of this nonchalant, "I can get it to you in a couple of weeks," and then not see anything. They are doing to go down this road, and if they don't get any satisfaction, then there is another road they go down after that, but he hoped and was reasonably confident that cooler heads will prevail.

Ben Nadeau said he had nothing this evening.

Shawn Jasper was certain not all of them were pleased with his line of questioning to Mr. Cole this evening, but his questions were deliberate and with purpose. As they move forward with this project, whether they like it or not, the project known as Green Meadow or RiverPlace, is very important, that the people who are serving the town as part of this team. Everybody on the team can have differences of opinion, can feel they should be doing things a different way, but what they cannot afford to have on their team are people who are attempting to be destructive to the team. Mr. Cole has sent out an e-mail with comments, talking about the Board. Mr. Cole sat there tonight and offered nothing constructive, and that is continually what Selectman Jasper was seeing. Mr. Cole was on the attack against members, whether it be Planning Board or Board of Selectmen; he's not offering constructive suggestions. He's not willing to sit down and talk to the Board about how he feels the Board can do better. He's not asking why the Board didn't do this this way, or if they thought about doing something; it's attack, attack, attack. He hoped the Board realized how destructive that is, and how divisive that is. He even said, when John Cashell talked about the community tearing itself apart, "I don't have a clue what he's talking about." Mr. Cole epitomizes what Mr. Cashell was talking about, and he doesn't even recognize it. Selectman Jasper hoped the Board members do.

Kathleen MacLean said she'd be willing to bring this up at another meeting, since this one was going so long. She put together some comments and a motion about the OPAC report, an avenue she thinks they could go down, in conjunction with the warrant and with the Board's action tonight, but she didn't want to rush it. The consensus was to take this up on December 26.

]Today, she went to Comcast in Manchester with Mike O'Keefe and Leo Bernard, the Chair and Vice-Chair of the Cable Committee, and Jimmy Mac, the HCTV facilitator, and they had a lovely breakfast and presentation. They received some lovely M & M's, which she passed out. She also got her picture taken with Terry Francona, who also signed baseballs. She gave hers to Mike because he has two kids. That was really fun.

]They won't be meeting again until after Christmas, but she will save her Christmas comments until then. In the meantime, she wished everyone a very merry and blessed Christmas and she thanked everyone.

Rick Maddox

(Start Tape 4-B)

]Motion by Selectman Jasper, seconded by Selectman Massey, to accept any valid zoning petitions, as verified by the Town Clerk's Office, that is received in the Selectmen's Office by close of business on December 13, 2006, and forward it to the Planning Board, carried 4-0. Selectman MacLean abstained, saying she didn't understand this.

]At the last Planning Board meeting, an issue came before them that he needs to bring to the Selectmen's attention—second driveways. They didn't need to go into great detail tonight, but this was something that they needed to discuss. It's becoming more and more of an issue. More and more people are having RV's and other things that don't fit in the driveway. How do they enforce that? What is the policy going to be? He is the liaison and something he probably should bring back at a later date, at a workshop or something of that nature.

]He spoke with their legislative liaison and was looking to have the February workshop with their legislative delegation, bringing them into the meeting, putting them on the happy cameras, so they will understand what the Board's priorities are for the Town of Hudson. It would be good for the Board to work that out in advance to say, "these are the items we are looking for." Questions could be asked, as appropriate, and dialogue with the people in Concord instead of putting all that pressure on one liaison. Following some discussion, it was decided to invite the Senator, Representatives and Executive Councilor.

]Chairman Maddox said he stopped answering e-mails regarding RiverPlace because there is no plan before the Planning Board and he didn't want to try to answer questions without something to base his answers on. As the liaison to the Planning Board, he cannot present an opinion until that plan is before them. As much as everyone is concerned they might be the liaison next year to the Planning Board, they don't want to say anything yet. They don't have a plan, and to answer questions in the hypothetical would just send them down a path he doesn't want to go. It's difficult not to answer the questions, but if he does, he could find himself unable to serve as the Planning Board liaison. He has not answered questions for that specific reason.

]Relative to the prints on the outside wall for showing what that property may be, they provide a place for the citizens, when they come to Town Hall for any number of reasons, can view what is proposed. They are not sanctioning or advertising; they are simply informing. As much as it may cause concern for some, he believes it is in the best interest to have those document out on the wall so people can understand what is being talked about. Selectman Massey said he wanted to be on the record saying it is better to keep things transparent, and that's the reason why he thinks it is important that those document be on the wall. If they don't provide people with what they are seeing, they run the risk of doing things behind closed doors. He fully supports what the Chairman was saying about leaving the RiverPlace documents on the hall wall. Selectmen Jasper and Nadeau agreed.

]Finally, “the Grinch” says to have a merry holiday—a merry Christmas—and hopefully, will see everybody on the 26th.

10. NONPUBLIC SESSION

Motion by Selectman Massey, seconded by Selectman Jasper, to enter Nonpublic Session under 91-A:3 II (a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected has a right to a meeting and requests that the meeting be open, in which case the request shall be granted; (b) The hiring of any person as a public employee; (c) Matters which, if discussed in public, would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting; (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community, carried 5-0 by roll call vote.

Nonpublic session was entered into at 11:00 p.m. and was terminated at 12:15 a.m. on December 13, 2006.

]Motion by Selectman Jasper, seconded by Selectman MacLean, to hire Karen LaRoche as a police dispatcher at \$15.36 per hour, effective December 31, 2006, in accordance with AFSCME Local union contract, carried 5-0.

]Motion by Selectman Jasper, seconded by Selectman MacLean, to hire Erica Coleman as a part-time police dispatcher, a non-union position, at \$15.36 per hour, effective December 17, 2006, carried 5-0.

]Motion by Selectman Jasper, seconded by Selectman MacLean, to award merit bonuses of \$250 each to Lt. William Avery, Jana MacMillan, Lisa Nute and Dorothy Carey, as recommended by the Chief of Police, carried 5-0.

]Motion by Selectman Jasper, seconded by Selectman Massey, to deny an abatement to Map 157/Lot 13, carried 5-0.

11. ADJOURNMENT

Motion by Selectman Jasper, seconded by Selectman Massey, to adjourn at 12:16 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