

HUDSON, NH BOARD OF SELECTMEN
Minutes of the August 8, 2006 Meeting

1. **CALL TO ORDER** at 7:12 p.m. by Chairman Richard J. Maddox in the Selectmen's Meeting Room, 12 School St, Hudson, NH
2. **PLEDGE OF ALLEGIANCE** was led by Selectman Kathleen R. MacLean.
3. **ATTENDANCE**
Selectmen: Richard J. Maddox, Shawn N. Jasper, Kenneth J. Massey, Kathleen R. MacLean and Benjamin J. Nadeau
Staff/Others: Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Richard Gendron, Chief of Police; Jim Michaud, Assistant Assessor; Tom Sommers, Town Engineer; Len Lathrop, Historical Society; Beth Raymond, Adult Day Service Program; Ray Rowell; Terry Stewart; Ashley Smith, TEL; Doug Robinson, HLN
4. **PUBLIC INPUT**
Len Lathrop, Historical Society, was present to ask the Chairman to sign the paperwork to allow the fireworks display at Old Home Days, August 18, 19 & 20.

Beth Raymond, Area Agency and Adult Day Service Program updated the Board on this program, and to say thanks, on behalf of the 23 Hudson participants (elder or frail, low income adults), for the funding. There are still vacancies, if anyone has any referrals. She distributed certificates of appreciation, a newsletter and photographs to Board members.
5. **NOMINATIONS & APPOINTMENTS**
No applications were received. Chairman Maddox appealed to the viewing audience that if anyone was interested in serving on the Sewer Utility Committee, ZBA or Solid Waste Committee, to contact the Selectmen's office.
6. **CONSENT ITEMS**
Chairman Maddox removed Item D from the Consent Agenda. Motion by Selectman MacLean, seconded by Selectman Nadeau, to receive Consent Items A 1 and 2; B 1 and 2; C; and E, as noted, or appropriate, carried 5-0.
 - A. **Assessing Items**
 - 1) 2003, 2004, 2005 Tax Abatements, 170 Bush Hill Road, w/recommendation to grant
 - 2) Abatement Settlement, BTLA Docket #20366-03PT/23196-04PT, McDonald's, 251 Lowell Road, w/recommendation to sign.
 - B. **Water/Sewer Items**
 - 1) Ref. No. S-07-01, ENF-06-02, 15 & 17 Burns Hill Road, w/recommendation by the Sewer Utility Committee to approve the waiver from sewer connection.
 - 2) Ref. No. S-07-02, S-UTL-07-01, 9 Sycamore Street, w/recommendation by the Sewer Utility Committee to deny the abatement application.
 - C. **Licenses & Permits**
Request for a Block Party Permit on Flying Rock Road on August 19, 2006, waiving the Board's policy that the permit be acted on 30 days prior to the event.
 - D. **Acceptance of Minutes**
Minutes of the Board of Selectmen's Meeting of July 25, 2006 -- Chairman Maddox said the vote for the ambulance was recorded as 5-0, but he wanted the record to show that he did not vote for the ambulance. Selectman MacLean asked if he had abstained. Chairman Maddox said he should have, but he just sat there; he did not vote for or against it.

Motion by Selectman MacLean, seconded by Selectman Nadeau, to accept the Minutes, as amended, carried 5-0.
 - E. **Calendar**
Aug 9 7:00 Planning Board in CD Meeting Room
Aug 10 5:30 Sewer Utility Committee in BOS Meeting Room
Aug 10 6:30 Recreation Committee @ Rec Center
Aug 10 7:30 Zoning Board of Adjustment in CD Meeting Room
Aug 14 7:00 Conservation Commission in BOS Meeting Room
Aug 15 7:00 Cable Utility Committee in BOS Meeting Room
Aug 16 5:00 Water Utility Committee in BOS Meeting Room
Aug 16 7:00 Library Trustees in BOS Meeting Room
Aug 17 7:30 Budget Committee in BOS Meeting Room
Aug 17 7:00 Democratic Committee in CD Meeting Room
Aug 18 - 20 Hudson Old Home Days at Hills House on Route 102
Aug 21 6:30 School Board in BOS Meeting Room
Aug 22 7:00 Board of Selectmen in BOS Meeting Room
Aug 23 7:00 Planning Board in CD Meeting Room
Aug 24 1:00 Trustees of the Trust Funds in BOS Meeting Room
Aug 24 7:00 Open Space Committee in BOS Meeting Room
Aug 24 7:30 Zoning Board of Adjustment in CD Meeting Room
Aug 28 1:00 - 7:00 Blood Drive at Hudson Community Center
Aug 30 7:00 Seniors in BOS Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on July 25, 2006:

- 1) Motion by Selectman MacLean, seconded by Selectman Nadeau, to promote Lt. Jason Lavoie to the rank of Captain in the Hudson Police Department, as recommended by the Chief of Police, carried 5-0.
- 2) Motion by Selectman MacLean, seconded by Selectman Jasper, to hire Leslie Desrosiers as the 2006 Soccer Director for the fee of \$1,250 and Ralph Carpentier as Assistant Soccer Director for the fee of \$750, effective August 1, 2006, carried 5-0.

B. Employees' Earned Time Fund

This item was deferred from July 25. Chairman Maddox recognized the Town Administrator, who said he wasn't here at that meeting, but understands the amount has been revised down from \$34,929.82 to \$22,577.92. funds are available in the Police Department. The audit isn't complete, so he didn't know if they were going to have funds for Highway and Fire. Their budgets were spent down, based on the FEMA incident. They are looking for \$22,577.92 from the Employees Earned Time Trust Fund and Police reimbursement of \$12,351.90 from their expense lines.

Selectman Jasper said there was a lot of information but very little of what he actually wanted. He only wanted to pay money out to the degree that it was going to keep the various departments in the black. The information before them didn't tell him those numbers. He didn't know how the cost breakdown relates to the balances available. FEMA money was coming for Highway and the bulk of the money is the Highway Department. They were told numbers were expected on that. They've got a large unfunded liability in the reserve account, so the more money they can keep in there, the less the unfunded liability is. These numbers don't help him in the regard he was hoping for. Selectman MacLean said it seems like there's not a single penny left over in the Highway or Fire Departments. Maybe \$5,000 could go towards it. Anything would help. Selectman Jasper said that was his thoughts, too. Chairman Maddox asked if they should defer this in order for the Town Administrator to get that information together.

Motion by Selectman Jasper, seconded by Selectman Nadeau, to defer to August 22, 2006.

Chairman Maddox asked if Steve would be able to do that, with the audit still in process. Mr. Malizia said it would be close, but he'll do the best he can. Selectman Jasper said getting a reasonable number should be doable. He is having a hard time adding up the numbers and making sense of anything. He didn't know how they were getting to the \$20,000 for Highway, \$12,000 for Police and \$2,000 for Fire, as there is no backup documentation. He apologized for not picking up his packet until today and didn't have the opportunity to peruse it and ask his questions earlier.

Selectman Massey asked when the audit would be complete. Mr. Malizia said the audit team was scheduled for this week and next. Selectman Massey said the Board won't be meeting until the following week, and asked if the auditor was going to close the books when he was finished and, therefore, wouldn't have the ability to transfer any money. Mr. Malizia said if they were going to try to expense it in the expenses, the books will pretty much be closed by the next meeting. Selectman Massey said then the Board won't have the ability to effect what Selectman Jasper was asking for. Mr. Malizia said the auditors will be working through next week to finish up their work. It is possible they can make adjustments post being here; they could leave it open and make an adjustment here and there. It's probably not something they prefer to do, but something they can do. Selectman Jasper said they were only talking a matter of days. They could ask them to hold the books until the 23rd and he didn't think that would be a problem. The more they can keep in the account, the better off they are in the long run.

Chairman Maddox preferred appropriating the \$22,000 tonight, so it would be done, and then if any adjustments needed to be made, that could be done at a subsequent meeting. Selectman Jasper said from an accounting standpoint, they would be much better off to hold the books open for a couple of days to find out what the number is.

Vote: Motion carried 5-0.

C. Pennichuck Operations & Maintenance Radio Meter Interface Units

Town Administrator Steve Malizia said in June, this item came to the Board to exercise the option for the radio meter interface units on the Town's water utility system. There was a clause in the contract to have radio meters installed for a fee. The Board was amenable to the concept, but there was some question regarding termination costs and liability, if the Town was to terminate the agreement with Pennichuck. With the liability, Pennichuck would be making a large capital outlay, up front, and the Town would be billed over a period of time for some of the recovery of that. In addition, some of the recovery would be gained by Pennichuck's efficiency in reading the meters. Mr. Malizia contacted Steve Densberger, President of Pennichuck, and worked out an amendment to the original Operations & Maintenance agreement, if the Town was to terminate or if Pennichuck were to walk away, what the liability on the Town's side would be. There is a termination charge schedule, which represents Pennichuck's capital investment, on the Town's behalf. Pennichuck is going to be doing all of the meters up front, not over a period of time. The Town, on the other hand, will be paying them over a period of 10 years, possibly 20. Mr. Malizia said he took the language of the

agreement and forwarded it to the Town's attorney. Atty. Hodes reviewed it and found it to be acceptable in both form and content and, at this point, Mr. Malizia was recommending going forward, exercising the option for the radio-reads, under the terms and conditions outlined within the document, under Fee Plan B, the 20-year plan at \$5,000 additional expense per year to the Town of Hudson.

Selectman Jasper asked if this came to them, originally, at \$27,000 a year. Mr. Malizia said they had two options—Plan A and Plan B. Plan A was \$27,000 a year for 10 years, but if they did Plan B, \$5,000 a year, if they lasted the whole 20, it cost \$123,000. If they were to terminate at 10 years, it would be \$287,000 which is certainly well worth the risk. Selectman Jasper agreed, saying Pennichuck wasn't going to come anywhere near recouping their money if the Town goes 20 years. Mr. Malizia said Pennichuck are looking to gain efficiencies in the system. From an inflation perspective, lock in at this price now. Selectman Jasper agreed that it was a wonderful deal. Mr. Malizia said it was a fair and reasonable deal for the Town. Chairman Maddox asked if the amendment was Exhibit 1. Mr. Malizia said it was the whole packet, and Exhibit 1 was included in that.

Motion MacLean, seconded by Selectman Nadeau, to elect to exercise the MIU Option Incremental Annual Fee, Plan B, Paragraph 10.2, under the terms and conditions, as outlined under the first amendment, to Operations and Maintenance Agreement with Pennichuck Water Service Corporation, effective August 8, 2006, as recommended by the Town Administrator.

Selectman Massey said, in order to clear up any misunderstanding someone might have 20 years from now, it should read, "Paragraph 10.2 of the Operations and Maintenance contract between Pennichuck Water Service Corporation and the Town of Hudson, under the terms and conditions, etc." Basically, they are just taking the existing contract, and it's not 10.2 of the amendment they are doing this under, it's 10.2 of the original contract. Selectman MacLean asked if they were amending 10.2. Mr. Malizia said they were exercising it. Selectman Massey said they were exercising their options under 10.0 with this amendment, and they are following the terms and conditions of 10.2, which includes a new addendum for termination charges, if the Board does not go forward for the entire 10 year period. It's just that Paragraph 10.2 does not refer to the first amendment to the Operations & Maintenance agreement. It refers to the main contract, which is an operations and maintenance contract, dated 12 July 2005 between Pennichuck Water Corporation and the Town of Hudson.

Chairman Maddox asked if anyone saw a problem with that. Mr. Malizia said it didn't matter to him, one way or the other. It's under 10.2 of the agreement, and this is an amendment that specifies the terms and conditions of exercising that option. Selectman Jasper was having a hard time understanding Selectman Massey's problem because it is, obviously, a contract with the Town, an Operations & Maintenance agreement with Pennichuck Water Service, and then it says Paragraph 10.2, under the terms and conditions, as outlined under the first amendment. Selectman Massey said it would make better sense, then, to put a comma after "10.2" and a comma after "first amendment," so it's clear what they are talking about. The maker of the motion and the seconder agreed to that change.

Vote: Motion carried 5-0.

8. NEW BUSINESS

A. Request by the Police Department to enter into an agreement with the State of NH Highway Safety Agency for the Hudson Regional Sobriety Checkpoints Project, which includes a grant in the amount of \$3,690.72.

Police Chief Richard Gendron said this was a 100% fully funded grant for the Police Department to operate two sobriety checkpoints on September 1 and 2, in accordance with the AG's guidelines. It will be run on a location on Lowell Road, utilizing six Hudson police officers and two, three NH troopers. They have identified that impaired motor vehicle operation as a priority in the summer of 2006, after a careful review of their data. Sobriety checkpoints is one of the most effective ways to deter impaired driving and identify impaired driving in the Town of Hudson. Last year, the Hudson Police Department made 198 DWI arrests. To date, they've made 141, with the majority of them occurring on Lowell Road. A couple weeks ago, during the Police Department's workshop with the Board, he presented information regarding motor vehicle collisions in the Town of Hudson last year—880 crashes, 146 resulting in injuries, and three fatalities. Two of the fatalities were the result of DWI. The crashes upon public ways in the Town of Hudson increased dramatically over the past decade, based on growth. Incidents of alcohol involvement in roadway crashes is well documented and is evident in a high percentage of serious motor vehicle crashes. The consumption of alcoholic beverages and driving a motor vehicle can have tragic consequences. The objective would be to identify impaired motorists, safety of the motorists and participating officers and agencies to achieve maximum deterrent effect. They will be setting up warning signs, training the officers in sobriety checkpoints and will be doing public information. The operation of checkpoint will have to receive a court order; will identify and permit safe direction of traffic; conduct a basic screening process; conduct field sobriety testing—the rule of thumb is one minute per driver. They will also allow pursuit of motorists who attempt to evade the checkpoint. They also have a plan of action for transporting arrestees for further testing. Utilizing signs, additional lighting from the Fire Department and cruiser lights, they will stop every vehicle. If there is too much traffic, they stop every third, fourth or fifth vehicle, depending on the traffic conditions. They will also be using a drug recognition expert and the K-9. Last year, there were 3,927 convictions for the State.

Selectman Nadeau asked if a checkpoint had to be set up, or if they could just advertise that there would going to be officers out that night. Chief Gendron said the grant specifies a checkpoint; they did not ask for DWI patrols, which they have done during the winter months, during the holidays.

Selectman MacLean didn't think it sounded very American to stop every single car for no cause, but she understands this was done before and wanted to know its effectiveness. The Chief said they did one in 2002 and made so many DWI arrests, they couldn't go till 3:00 a.m.; they had to shut it down at midnight because they ran out of officers. Selectman MacLean asked if the one in 2002 was a grant and if the Town has ever paid for one. Chief Gendron said yes, it was a grant and no, the Town has never paid for one. But the Town can conduct one any time they want. Selectman MacLean asked what the percentage was of DWI's of the cars that were stopped. Chief Gendron didn't have that number, as it was back in 2002.

(Start Tape 1-B)

Sometimes they find people driving with a suspended license. Selectman MacLean can understand getting a grant to do this in order to save the Town money, but since the Town has never done it without a grant, she wondered if there was a personal philosophy behind it. Chief Gendron said his budget is tight; that's why he applies for the grant. Selectman MacLean asked what his defense was for stopping every car. Chief Gendron said sobriety checkpoints have been very effective throughout the country. So far in 2006, in NH alone, there have been 16 efforts done. The director of NH Highway Safety encourages sobriety checkpoints and communities to work together—and that's what Hudson is doing. On September 1 & 2, Labor Day Weekend, Nashua, Hudson, Pelham and Salem will be conducting sobriety's. This is just a grant to help them out.

Selectman MacLean noticed the packet of information indicated the officers would also be checking the child restraints. She asked if they stop someone who is perfectly sober, but has drugs in the car, if they would be pulled in. Chief Gendron said absolutely; that's a crime. She asked if that would hold up in court. Chief Gendron said it would. If the driver is under suspension or has a violation of some sort, if there's drugs in the car or an open container—those are all chargeable offenses.

Selectman Jasper said it's important to remember that driving is a privilege, not a right. It's not an infringement on anyone's rights when they are stopped, although the courts have held that they have to have a court order to do this. He thinks this is very important when you look at the highway fatalities. He was always struck with the statistic that, during the Vietnam war, more people died each year at the hands of drunk drivers than was lost in the whole period of time the country was in Vietnam. The number has been reduced, but they are still losing an incredible number of people on the highways each and every year. The Board should do anything it can to take the people off the road who should not be driving, whether it's impaired or, who the courts have found don't deserve to have a license any more, but continue to drive anyhow--and there are a tremendous amount of people who do that. He hoped the Chief would find a way to do more of these, even without the grants—but it's helpful to have the grants. He was in full support of this, having been on then-Governor Gregg's Task Force on Impaired Driving. He was also the prime sponsor of bill to lower the BAC from 1.0 to .08 the first time; it passed the House, but not the Senate. This is something they can't do enough of because the carnage on the roads should be unacceptable but, for some reason, they seem to just live with it.

Chairman Maddox said he had a different approach. He didn't think they should be doing checkpoints, that there are other methods, whether it was directed patrols for DWI, which they've done in the past and are very effective, as opposed to stopping citizens and having them prove their innocent. He knows that driving is not a right, but a privilege, but stopping every citizen and having them prove they are not drunk and have a valid license smacks to his Libertarian side as not the way to go. That's his position, so he won't be voting in favor of this. They've heard that there is an overcrowding potential in the jails, so why would they do something that would bring more people into jail? Chief Gendron said his job was to ensure that the roads are safe. He does not, at any time, say he's not going to do any effective traffic enforcement or crime investigation because he didn't have enough jail cells. That's not the way they operate. Statutorily, he is responsible for the primary traffic enforcement in this Town, and that includes DWI enforcement. He will do everything he can to get drunk drivers off the road, and taking one minute of their time is a small price to pay for saving someone from being killed or seriously injured. He didn't like making death notifications. This is a small price to pay, and it's very effective. Chairman Maddox said he disagreed with the Chief.

Selectman Jasper said this is going to take place, regardless, of the Board's decision. The only question before them tonight is whether or not they are going to accept the grant that is out there, or if they are going to place the entire burden of paying for it on the citizens of the Town of Hudson. It doesn't make any sense to look this gift horse in the mouth. There is a whole pod at the Hillsborough County House of Corrections that is currently closed down, so if the Chief needs room, he can send them up there.

Motion by Selectman Jasper, seconded by Selectman MacLean, to approve the request by the Police Department to enter into an agreement with the State of NH Highway Safety Agency for the Hudson Regional Sobriety Checkpoints Project, which includes a grant in the amount of \$3,690.72 carried 4-1. Chairman Maddox was opposed.

Selectman Nadeau asked if, next time, if they could go with directed patrols. Chief Gendron said those are usually done during the winter months. In the summer, checkpoints are very effective and will be done in Nashua, Hudson, Pelham and Salem on the same nights to saturate the southern tier. Selectman Nadeau said he's never seen a checkpoint done. Selectman Massey said a checkpoint for seatbelts was done just recently at Wal-Mart, funded by the State.

B. Award of Bid—Commercial/Industrial Property Value Update Project

Jim Michaud, Assistant Assessor, said he and the Finance Director were recommending Property Valuation Advisors be awarded the bid for the 2007 commercial/industrial property value update. The lead appraiser in that company is Stephen Traub, who has worked for the Town in the past on a BAE appeal and has worked throughout New England for over 20 years. Packets were sent out to nine appraisal companies. Two responded with bids and two responded with letters, saying they were not interested in doing this at this time. This person will be going out, measuring and listing all the commercial/industrial property. They will be doing the field work and will also be conducting the valuation aspects of all the commercial/industrial property in Town, except for public utility property. Skip SanSoucy will be used for that. The Town also uses Skip on the Verizon property. The Green Meadow River Place property is also not part of this bid. Time will tell if there's any changes, as a result of Planning Board or Zoning Board action, as far as how that property will be, as of April 1, 2007. If it's still a golf course, then that will be more easily addressed than if its nature is changed. His focus was to put more emphasis on the valuation of this property in Town. When he got here, it was almost 30% of the tax base. It's now down to 20%, and maybe a little less. Abatements have come in on commercial and industrial property, but he wants to get a much better handle on the valuation of these properties. There is a little upswing on the retail side on commercial property and, from what he has read, the industrial market has bottomed out and is maybe moving upward—and maybe industrial parks are changing on how they are being utilized.

Selectman Jasper said since they are doing the values for April 1, 2007 that means they will have all of the elements for a total reval of the Town. Mr. Michaud said that was correct. He was simply asking the Board to farm out the commercial/industrial aspect, but the whole Town will be reset to market values, which is between 90% and 110% of market value and that is an Assessing Standards Board and Department of Revenue definition of market value—10% on either side of market value. It's one component of the whole picture, the whole Town.

Motion by Selectman MacLean, seconded by Selectman Jasper, to award a consulting contract to Property Valuation Advisors for Update and Equalization of Assessed Values of Commercial/Industrial Real Property in the amount of \$49,000 as recommended by the Assistant Assessor and the Finance Director, carried 5-0.

C. Hudson Police Underground Fuel Tank, Groundwater Management Permit, Decommission

Town Engineer Tom Sommers said the property is under a Groundwater Management permit because of high levels of MBTE's found at the tank, in the parking lot, which is considered the Police Station's fuel tank. Over the last couple of years, monitoring has been done, done by a consultant, with NH DES. The most recent round submitted to the NH DES showed that the Town was below their thresholds and they want it decommissioned—which is a process in itself.

Motion by Selectman Massey, seconded by Selectman MacLean, to approve the contract with Gemini Geotechnical Assoc. in the amount of \$1,697.50 (which will be paid by the NH-ODD Fund) for Monitoring Well Decommissioning and Deed Recordation/Release of Notification of Groundwater Management Permit at 12 School Street, Hudson, NH, and to authorize the Chairman to sign the contract, as recommended by the Town Engineer, carried 5-0.

D. South Hudson Water Tank, Green Meadow Club, Inc., Development Evaluation

Town Engineer Tom Sommers said the Board approved a contract with the Green Meadow Golf Club for the purpose of looking into the tank and what upgrades might need to be done and the bid to determine the price difference, and then they would have a 10-day period to determine whether they were going to continue with that agreement with the Town and utilize that tank for their proposed development. The first part of that has taken place. The Board was given a report from Weston & Sampson, paid for up front by the developer. The fee was estimated by the consultants and this is the first part of the work that was done. The bottom line on the last page of this is that the tank recommendation increase is 130,000 gallons, an increase in the diameter from 46' to 49' which is not substantial in changing the scope size of the tank. His recommendation is that they continue on. He originally thought, at this point, they would have to ask Green Meadow Golf Club if they were willing to continue to participate, but he didn't think that was the case. He thinks the case is they take this all the way to the bid alternate, unless they have strong objection. At that point, they make the determination as to whether they are going to pay for an increase in size. He wanted to bring this forward to let the Board know it was done, given the magnitude of this project. People wanted to see this type of stuff on the web site, and this is part of what is going on. He sent a copy of this to the owner. He felt they deserved to see a copy of it. He originally thought the Board needed to take action, but he's not sure that there is, now that he went back and rethought the contract. They also did a model of this, using the model they put together for them for the hydraulic water system we have, and it's apparent another water line will be needed down there, which has always been part of the master plan since 2002, so this confirms their project is going to need that loop, also. He anticipates that would be a requirement, but that's not part of the initial contract. The initial contract deals only with the tank, because that's what they were dealing with, with respect to where they were going with construction in the immediate future.

Selectman Massey thought this was fine because the idea was to put the bid spec together, including this information, and let the Golf Club make the decision as to whether they wanted to fund the add alternate part of the process. Chairman Maddox said until that time, there's no decision that needs to be made by the Board. Mr. Sommers agreed, adding that he felt it was important for the Board to see this. Presently, the Town has been given permission to be on the property, which he thinks the Town owns, by now. Given that they are setting up to do additional field evaluations,

borings, because there is some destruction to it, they wanted to wait until they own the property. That is being undertaken this month, which means the final design is expected to be completed mid-October. They will go to bid at that point and expect to be in construction in January. Because of where it's located, and how it's done, they can construct these in the winter. The initial start will be in the winter, unlike a lot of construction projects that he comes forward with. That will keep them on schedule, which is to have it up and running in the late fall of 2007. They have been somewhat delayed by the process they've had to go through, but they are moving forward. He and Weston & Sampson have been working diligently on it, to keep it moving as fast as they can.

Selectman Massey said the delay was not to get the information on the add alternate; the delay was due to working to get the property. They have an agreement with the property owner that they will deed the property to the Town and they are in the process of doing the deed, but until the deed is completed, they have given the Town an easement to be on the property to do the additional work. The Town doesn't officially own the property until the deed is recorded, and that's what is in the works. He wanted to make sure that everybody picked up on the other piece of this. In the contract with Green Meadow Club, it said that the only thing they were going to be dealing with was a water tank and that any additional requirements to provide water on their property would be the subject of any further discussions. In no matter shape or form will this wind up being the only contribution that the property would make towards the operation of the water utility. It's strictly for the tank, itself, and as Mr. Sommers indicated, if they have to put in another main down there to handle this property, they would be looking for the property owner to fund it. Chairman Maddox asked if they were still on track. Mr. Sommers said they were probably about a month behind where they thought they would be.

E. Lowell Road Sidewalk Project, CLD Amendment #3

Town Engineer Tom Sommers said this has been one of the hardest projects to get done, not through any fault of the consultant. It's just where it is and the tightness of it. Most of the amendment has to do with easement negotiations and working out easements with various abutters through this segment. In the past, the Board has been very supportive of getting this done, especially with the crosswalk at Birch Street. Out of this total of \$13,200 close to \$11,000 of it is a result of easement issues that have been arising. Ten easements have been signed; five to go. Only one is controversial, but others are asking for more detail and information than was originally planned. This is stuff that has to be done. He's held the consultant off on doing most of it, but a couple parts they did do, like the projected scope reduction and estimate because they were going to truncate the project at one time. He took that upon himself to get that information, but all of this costs money, which is in front of the Board.

Selectman Jasper said he has lost track of the scope of the project and asked if there was a sidewalk on each side. Mr. Sommers said no, one side. Selectman Jasper said most of the businesses were on the east side and wondered why the sidewalk was put where it is. Mr. Sommers said because of the telephone poles, three-phase system, smack in the middle of it, which would make the cost before them look small. This alignment has been changed four or five times, trying to make it work, and this is the best they can do.

Chairman Maddox said this was one of those projects that has been dragging out, and it needs to get done. The amount of traffic on Lowell Road is plentiful and moving quickly, so a sidewalk is a valuable resource. Who knows how much longer it will be before the State pulls away the 70% funding. Mr. Sommers said they got quite a bit more funding in March from the State, and they said not to come back again. Chairman Maddox said this is mostly just drawings and layouts. Mr. Sommers said this is some survey work because people are looking for specifics. Others were fine with what they were provided, and have signed.

Motion by Selectman Massey, seconded by Selectman MacLean, to approve Amendment #3, in the amount of \$13,200, to CLD's Contract Lowell Road Sidewalk Improvement Project, as recommended by the Town Engineer, carried 5-0.

(Start Tape 2-A)

Mr. Sommers said this and the Library Street intersection project should be bid this winter to get the best possible price, and start them in the spring.

F. Community Grants

Selectman MacLean hoped the Board would define what a service to the Town is. At Town Meeting, it seemed that people were under the impression that every group that they donated money to actually saved the Town money, and that's not true. If the Board defines what a service to the Town means, or if they define it as the agencies that provide services to individuals, which the Town would otherwise have to provide, it would be clear cut as to who would qualify for a grant and who does not. There are questions of the common good, and they are all for the common good, but where do you draw the line? The common good is paying people's mortgages, tuition, health benefits, etc. Where do you draw the line with the common good? The woman who came in tonight from Adult Day Care explained about the fantastic services they provide to 23 people, but for those 23 people, there must be 2,300 people that are working really hard to make ends meet to send their parent or child to a day care, so why is the Board taking the money of the people who are barely scraping by to pay their taxes to this agency to help 23 people. It didn't make sense to her—and there are other agencies that she questions. She didn't know if the Board wanted to go through them all, or if they wanted to define what it is and when they come to the community grant line in the budget, see if they meet the criteria.

Chairman Maddox asked what the criteria would be. Selectman MacLean said it was her desire to clarify the community grant cost center as agencies which provide services to individuals which the Town would otherwise have to provide. That's an agency that saves the Town money. If the Town has to provide this service, and an agency does it in lieu of the Town, that's saving the Town money. If the Town is under no obligation to provide day care, or health care, or counseling, then if the Town gives money to those agencies that do that, they are not saving the Town any money whatsoever. All of the agencies on the list are awesome, wonderful groups, but if any Board member thinks they are that awesome, they can donate the money themselves, personally. She didn't think the Town has the right to give other people's money to things the Board feels are worthy.

Selectman Massey said the criteria they ought to be using is exactly what the attorney said—a promotion of the general welfare which, incidentally, benefits certain individuals is not improper. Generally, a public purpose has, for its objective, promotion of the public health, safety, morals, general welfare, security, prosperity and contentment of all, or at least a substantial part of the inhabitants were residents of the municipality. Selectman Massey thinks that's a far more easy thing to think about than the restrictive language that Selectman MacLean wants to use.

Selectman Jasper said, with respect to community grants, Hudson has been notorious in its budgeting for being very frugal. One only need look around to the budgets in Nashua, Merrimack, Londonderry and Derry to see that Hudson is frugal. Each grant in the line item has been studied and debated by previous Boards of Selectmen and Budget Committees, and only those grants that those two bodies have deemed to provide something of value to the Town of Hudson have been included. In the next budget process, they can decide there are things they don't wish to fund, but the decisions haven't been made in a vacuum, nor have they been made by just the Board of Selectmen or the Budget Committee. They've been debated on the floor of Town Meeting and decided by the people at the ballot box. If they were to take this discussion to its logical conclusion, they would then be able to examine everything in Town, and they would eliminate the Recreation Department, because they don't have to provide recreation. There are many other things that they would also eliminate from the budget, because they are not mandated by law to provide. Sidewalks would be another one. A community is what a community decides it wants to be and, in no small part, that is by the things that it decides to fund, through its schools, through its libraries, through its roads, and all the other services, and this is part of that. The Big Brothers/Big Sisters program is one of the more recent additions, and the Board of Selectmen and Budget Committee listened to the arguments and determined that it was worth including, not because it saved the Town money directly, but because of the potential it saved for the future, by giving children who are in need of mentoring, and a need of someone to guide them through life, reducing the risk that those children wouldn't end up in jail or as Children in Need of Services, thereby saving money. This debate has gone on for years in Town, and will continue to, but if any of them think they can define this here and now, they are sadly mistaken. He didn't want to spend a lot of time debating the issue, and had even promised himself he would not speak to it tonight.

Selectman MacLean said it was interesting that Selectman Jasper mentioned the Rec Department because she has said, from the start, that it is the most fantastic thing that the Town has, but it should be self-funded. People should pay to participate in those things because the Town is not obligated to recreate its children. Yes, they are defined by the things they support, but her question remains, where do they draw the line? Big Brothers and Big Sisters is a great agency; they are a great positive role model, but so is the YMCA, so is PMA. What isn't the Board giving them tons of money because they are affecting the Town in very positive ways. Where do they draw the line? Sidewalks don't really fit into this discussion because they benefit everyone in the Town. A service, as wonderful as it is, that provides service to 23 people out of 23,000 is—and she isn't a mathematician—1/10th of a percent of the population. If someone thinks that agency is so wonderful, and it is, they should make a private donation. The same with Big Brothers and Big Sisters. Maybe people who are sending their children to PMA, who are struggling to pay the tuition and their taxes, would prefer that they get to decide how they want to spend their money, and not send it to Big Brothers and Big Sisters. Selectman Massey said everyone has the perfect opportunity—it's called the deliberative session of Town Meeting and they are perfectly free to make any and all motions to add, subtract or delete any line item in the budget.

Selectman MacLean said she attended a fundraiser for the victims of Hurricane Katrina earlier this year and the person from the Red Cross got up and extolled the praises of the Red Cross and said, "we accept no tax dollars." She had to hold herself in her chair because the Town of Hudson donates to the Red Cross with tax dollars. He said it twice and was proud of it. She wondered if he did not know, or what, because Hudson gives tax dollars to the Red Cross.

Chairman Maddox was glad to have this discussion now because it's tough to do during budget time. The American Red Cross is the Town's disaster relief support, so if there is a problem, like there was with the flooding on Mothers' Day, those people help out. Yes, the Town gave them money, but it's a service. Will any of them probably use all of the agencies? Probably not, but they are a community of 23,000 individuals, with individual needs that, in some cases, the Town is obliged to support. These are Town residents; they are not giving to an agency is outside of Hudson's realm. If Selectman MacLean wants to bring forth a criteria to use that would give them better guidance, she could, but he believes that these agencies, given over the entire scope of the year, provides services to the citizens that, if they did not have them, the Town would be looking for some sort of resource to get them. He didn't disagree that they should have the right to pick what they want to support, but the citizens look to this Board, and to the deliberative session, to be able to say that some of these things need to be funded to support the citizens through their tax dollars.

Selectman MacLean said the American Red Cross was on her list of agencies that clearly fall into the category of providing a service to the Town. She just wanted to clarify that, apparently, the Red Cross thinks they only get

donations from people, when they actually get tax dollars. She knows there are citizens in need; that's why people give to charity, freely. She is concerned about the majority of citizens that really struggle to provide their own families to provide these benefits, moral support, family counseling, marriage counseling or financial counseling. All of these things that some people get for free, some citizens are working really hard to provide for themselves, barely keeping their head above water, yet the Town is using their tax money to pay for other services. If they don't give a donation to agencies, they are not going under. All they need to do is fundraise a little more and get people to give more money—not the Board on behalf of the Town, but as individuals.

Motion by Selectman MacLean to clarify the community grant cost center as agencies which provide services to individuals, which the Town would otherwise have to provide did not receive a second.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Ken Massey said he didn't have anything this evening.

Ben Nadeau said the Seniors Council on Aging is having their summer barbecue fundraiser on August 28 from 6-9 at Kings Court for a \$25 donation. Tickets are available at the Hudson Chamber of Commerce and Citizens Bank on Lowell Road.

OPAC, the Older Persons Advisory Committee has come out with their survey, which will be available at the blood drive, Town Hall and Old Home Days. He'd like everyone to fill one out so they can see what the needs are for the older population in Town.

Old Home Days is on the 18th, 19th & 20th with a poker run to benefit the NH Veterans. The proceeds will go towards a handicapped van for the Veterans to use on field trips. It will start at 11:30 at the Rotary Pancake Breakfast. Registration is 8 – 11 at Alvirne and will end at the fairgrounds at 2:30. There will also be a car show on Saturday.

At 3:00 a.m. on Saturday, there was a general alarm pallet fire on West Road. They had a lot of response from Mutual Aid. They had tanker trucks from all over, bringing in water. The Salvation Army assisted by giving out food, water and places to relax. Chief Murray told him they could take some money from his in-town meals budget to pay for some of the supplies they used. He didn't know if the Board needed to set a dollar amount. Chairman Maddox asked if the Chief was going to do that himself.

Motion by Selectman Nadeau, seconded by Selectman Massey, to authorize the Chief to reimburse the Salvation Army for the supplies that they used.

Selectman Jasper wasn't comfortable setting a dollar value tonight; he didn't even know if the Chief needs authorization. He'd prefer a motion to authorize the Chief to reimburse the Salvation Army for whatever amount he deems appropriate. They could wait for a couple of weeks, but he didn't have a problem just giving the Chief their blessing for a general amount. Selectman MacLean said that would be her thought too, because when firemen are on call and it's a strenuous circumstance, their nourishment, health and safety are part of the Board's concern, so that has to be in the budget. She thought the Chief would have the authority to do that without the Board's authorization. Chairman Maddox thought it was more symbolic than anything else.

Vote: Motion carried 5-0.

Selectman Nadeau thanked the two Burger Kings in Town for the food. He also wanted to thank Mike Dolan from the Salvation Army and his staff for all they did. He thanked the Fire Chief from Litchfield, Tom Schofield, who ran the water supply and the other Chiefs who came from the other towns to help out. He thanked the Hudson CB patrol for helping with the traffic.

Shawn Jasper said Clement Road has been reconstructed and widened from 21' to 24' from Constitution Drive to Park Avenue and all that is left is to finish the pavement is some shoulder work. Robinson Road from Lawrence to Griffin Road and Kienna Road have been reconstructed and repaved. First and Second Streets have had the sewer replaced, reconstructed and repaved. Belknap Road sewer replacement is on-going. Old Derry and Speare Roads are scheduled for paving this week. Old Derry is the 2nd coat and he assumes it is the same with Speare Road. The replacement flagpole, donated by the VFW, has been installed at Hudson Center, with thanks to them. The gazebo at Library Park was repainted by the prisoners from Valley Street jail.

The Benson's Committee had a meeting at long last, last week. He's had discussions with Nancy Mayville from DOT. He's not happy with how slowly things have been moving, and part of that was waiting to get comments back from Jay Hodes before he contacted the State. Selectman Jasper didn't feel he should be pushing the State, if the Attorney hadn't done anything on this end. That finally happened, and now the attorneys need to get together. He apologized for not, as he intended, sending out an e-mail to the Board this weekend, but he will be meeting with Atty. Hodes tomorrow afternoon at 3:00 here at Town Hall to go over Town issues. If Steve or any of the Selectmen are available, they are certainly welcome to attend.

Most of the issues were things they had pretty much gone over at the meeting they had back in May. There are a couple things from the Benson's Committee that he wants to bring up that relates to that (referring to the two memos from Duane King that had been passed out tonight). The Town has been insisting that the Master Plan be included in the actual deed document. The State didn't think that was a very good idea, and neither does the Benson's Committee. The reason it's not a good idea is that when you open up the Master Plan, it says "Draft," but that's the only document there is. Why you would take a draft document that is not intended to be set in stone and put it in an actual land deed, he didn't understand, because that locks them into things they don't want to be locked into, nor does the State think the Town wants to be locked into that. The Benson's Committee recommendation

is to take out the reference to the Master Plan and the Quit Claim Deed. One of the things that shows on the Master Plan, that they would be locking themselves into, is for the train station to go over to where the brown house was on Central Street, as sort of a welcome center into Town. He doesn't think there is one single person who thinks that is a viable, or a good idea, but that's what the Master Plan says. Unless there is an objection by a majority of Board members, that will be taken out. The other thing which may or may not need to be negotiated with the State is the location of the train station. The Benson's Committee, and he, believes that the train station belongs near the old main gate, where the John T. Benson house was. Some of them feel that it makes sense to have it parallel to Kimball Hill Road, so the police and anyone going by can see that it's a train station, and not just see one end with a window. It gives better visibility. They'd like to put it there and don't think that's going to be a problem, but with the Historic Preservation people, they don't know if that will fit. One of the other big things that continues to be an issue and, unfortunately, Nancy didn't have any additional information from the Historic Preservation people. They've got the Secretary's guidelines on preservation and they were talking, specifically, the Haselton Barn. The other buildings are small enough, they're probably not really important. They're saying oh, you don't have anything to worry about, and he is saying he reads these things one way, and you are reading them another. He wants something they can all understand because the point is if you read the document from the Secretary of the Interior the way he does, it means you have to salvage all the clapboard siding and replace it in kind and paint that barn. He'd rather let the barn fall into the ground than commit the Town to that expense on an on-going basis because they'd be painting the barn every five years, so they need to get some movement from there. They have agreed that they will absolutely outline an area that they will never come into. The understand that if something were to change, and since most of the area they would never come into is upland, they can't turn it into wetlands anyhow, but they've agreed that they will define that with metes and bounds, so they have to get out there with a survey crew. Some of it is already done, but more has to be done. The mound with the asbestos is their liability. The landfill is their liability. If they cap those two to the degree that there is nothing harmful, at the present, which there isn't, but if anything were to come up in the future, because there will be monitoring wells, and if there isn't anything now, with that place being closed for 20 years, and most of those landfills were probably used 30, 40, 50 years ago, if nothing has come up now, it probably won't... but he wants the State to assume any future liabilities for those because, obviously, if they keep the land, they have the liability now, so it should be neither here nor there. That's pretty much where they are. As a refresher, or a reminder, because this has gone on so long, this whole idea of a Benson's Park was not the State's idea. It was the Town approaching the State with the idea, so when talking about what the State is giving up and why they are doing this for the State, the State really didn't have an interest in doing this. It was something the Town approached them about. He is hopeful they can make some progress soon. There is a Benson's cleanup day scheduled for sometime in September, which will be on TV and in October, they will try to do an inventory of the items they have, getting all of the small items in one secure location, instead of having them here and there.

Selectman Massey said in April 2005, they met with Nancy Mayville and the Historic Preservation people. He thought they had an agreement with them...

(Start Tape 2-B)

Selectman Jasper thought he was a little ahead of them; they said they would research it; they'd look into it; they would not be opposed to it. But they don't have any different language today. Selectman Massey thought they were going to go away and figure out how to do it. Selectman Jasper said that was his understanding, but they haven't done that yet and all Nancy said was they think the guidelines are fine and don't cause any problems, but he and Selectman Massey are on the same page, that they don't read the guidelines quite that way. They are still looking for something more specific.

Selectman Massey asked what the current status was for removing the contaminated soils. Selectman Jasper said that's still in the lawsuit. They were hoping it was going to be scheduled for trial this fall, but the location of that doesn't really impact any of the areas they would be working in. That will clearly be the State's liability. They will have it removed, or they will have to remove it. Selectman Massey said his recollection was one of the piles is right near the parking lot. Selectman Jasper said there is only one pile, and that is in the old parking lot, but in an area that's a future wetlands mitigation area. The Town's parking is all upland from that, and he's gone on site, so he knew what he was talking about. That's not an area they need to be concerned about. The just need to make sure the right language is in place, as they proceed.

Chairman Maddox said awhile back, he heard that the committee dwindled down and they weren't meeting. He asked if any vacancies that needed to be advertised. Selectman Jasper said he would have to talk to Esther or Duane about that; he didn't know what the membership was. The comment that was made at the time when Esther stopped having meetings was that the Selectmen weren't participating, so there wasn't any sense in having any more meetings. That's what was going on at that time. At the last meeting, they had five or six members; a couple called in who couldn't make it. He didn't know if they had specific terms, or not. He's not familiar with that but, at this point, they do have a working committee.

Chairman Maddox said if the committee is deciding where the put the train station and all of that, they should also look into the membership issue. At some point, maybe Selectmen Jasper could put together a presentation to the Board of what the plan is. The draft Master Plan never went past that point, and where they think they want to go with this. The two of them will probably differ on this, but the Board needs to be brought up to speed, at some point. Maybe the State will hand them a Quit Claim Deed that needs to be signed, and they need to make sure they are all kind of going in the same direction. His understanding is that they need to maintain those buildings to National Historic standards, which would be astronomically expensive, considering the condition they have fallen into. He hoped that Selectman Jasper, along with Esther, could put together a presentation.

Selectman Jasper said they could do that, as they move through the process, but the key is to get some better agreement with the State because there are things that need to happen out on that site relatively soon. None of them want to put money into roofs or anything else until they know this is going to happen and they are in agreement. That's the point he tried to make to the people from Historic Preservation. "Look! If we don't do this, all of those buildings are going to be in the ground. What is wrong with

you people? Do you want them to fall in the ground? Because the State's not going to put dime one into them." Chairman Maddox said the Elephant Barn, and the barn that's over to the left. The roof gone and it's wide open to the elements. Selectman Jasper said the roof on the office building is going. "What part of this don't you people understand?" They did seem to understand, but Chairman Maddox said that's the same phrase they've heard for three years. Selectman Jasper reminded the Board about the meeting with Atty. Hodes tomorrow, saying he meant to send an e-mail to the rest of the Board, but it got set up late in the week--and life just got in the way.

Another thing he wanted to talk about was something he wasn't going to bring it up, but thought he would, in light of it being recent. It's not meant as a criticism to anyone, but a criticism to the process, or lack thereof. They were very lucky with what happened Saturday. It was a pile of pallets, not a large building or an industrial accident. They should use this as a wakeup call to look at the policies and procedures. As they all know, they didn't have any of the three chief officers available immediately. Chief Murray did come back, but almost seven hours into the incident. The Town was very fortunate to have Chief Schofield from Litchfield responding and taking over water supply and they were very fortunate they had a Battalion Chief from Derry, who came over and took over general command, but they have to think of the "what ifs." What if there were a lot of things going on in several communities, or what if everybody sent over a tanker with two privates. From what he saw—and he didn't go over there until 7:30-8:00 a.m., they had a Captain and two Lieutenants. That's all they had on the scene, so he thinks the Board needs to work with the Chief to see how they can make sure they have someone available at all times to take care of emergencies. It's great when chiefs show up from other towns and take command, but they don't know the equipment the Town, the personnel and their capabilities and expertise. That's why it's important to have one of their own in charge. It worked out great, but it was only pouring water. Things worked out well, but he hoped they could work on something to try to figure out how to make it better. They have three people they are paying a lot of money to, and he understands everybody has to have weekends free, but someone should be here. Shame on him, but he always thought they had a process. He always thought it was worked out and there was a policy. He asked Ben, as liaison to talk to the Chief about that, and they don't actually have a policy. He spent 20 years as a call firefighter, and he always thought there was a policy that was in place so they always had a chief officer covering the Town nights and weekends... and guess what... they don't, and he thinks they need to. They owe that to the citizens. This isn't meant to criticize anyone; that's what the Town has had, and what continued, but they need to make sure that it doesn't continue.

Chairman Maddox said he spoke with the Chief today. It's a matter of educating dispatch, putting together some sort of process internally. Maybe they can take a look at that and get back to the Board as to what they are ultimately going to do. Selectman Jasper said it goes beyond educating dispatch because, in this case, the Chief was an hour and a half away. The critical time in an incident is much less, generally, than an hour and a half. There's going to be times when there are conflicts, but then you need to make sure they have two or three Captains who will be here. They didn't get a second Captain on the scene until very late in the morning. Those are the types of things, not just, gee, call somebody. That doesn't really help, and you can't always depend on officers from other towns to be here. The Town owes them a real debt of gratitude. They did a fantastic job, and everybody worked together well, but it wasn't the most serious of situations. Chairman Maddox said it was an educational exercise.

Selectman MacLean said two things about the Benson's thing. When Esther was asked about Benson's not meeting any more, she did say that some Selectmen were not at the meetings, but that was not the reason. As the Selectmen's rep alternate, she said the record would show that she was at most of the meetings. She thanked Duane for addressing them as Dear Sirs and Madam. Everything is usually address Dear Sirs, and it was so nice to see this.

Last week, she went to the Rec Department for their open house and she witnessed a lot of wonderful things they've got going on. On first glance, staff looks like they are having a great time and one might wonder how they can be getting paid for something that looks like so much fun, but then all of a sudden, at a certain time, they get to work, take this down, take that down, set up this, set up that, carrying heavy things and wait on the kids for lunches. They really do a good job and really earn their money, so she wanted to mention how enjoyable it was. Tomorrow at 1:00, the Rec Department is having a talent show, of which she will be an esteemed judge. She will let everyone know if they have any American Idols on the way from Hudson.

Rick Maddox said he, too, was at the fire and wanted to say that everybody did a great job. He did a great deal of tanker shopping because there was everything there from antiques to the latest vehicles made. They got to see a little bit of everything except the coordination that is necessary to run that operation with between 350,000 and 400,000 gallons of water, when the average truck is 2,500. There were an awful lot of vehicles, and to think ahead as they are shuffling back and forth; they need fuel. It went very well. The basic process works well; they just need to do something with the Town's people, as far as coverage.

He met with Mr. Wolters and Mr. Cashell. He often says government is glacial, trying to do something with getting people out of Constitution Drive, and trying to do something with Wall Street, and/or Hudson Park Drive. Mr. Wolters is very agreeable to working with the Town to try to alleviate that issue. When they are 99.7% sure they know who owns that, they can move forward to, hopefully, come up with a plan that will alleviate some of that traffic, both on Clement Road and getting out of Constitution Drive, not putting them by the Police Station.

He went shopping this week, looking for a box truck—to a Dodge dealership, a Chevy dealership and a GMC dealership, and he couldn't find the type of vehicle they were talking about. Maybe they are special-ordered. Pickup trucks were \$27,000. To think this truck is going to be less than \$35,000-\$40,000 is unreasonable. The ambulance is pretty much a done deal, but he doesn't know it was the best deal for the Town.

Selectman Nadeau said the ambulance was not a done deal. Deputy Chalk talked to Demers and said if they do not trade in the ambulance, the Town has to come up with \$8,000 for the trade. If the Police Chief wants the ambulance, all they have to do is

come up with the money, or figure out how the warrant article has to be dealt with. He is talking with Demers tomorrow and Thursday. Selectman Jasper said he and Steve talked with the auditors about that today. Certainly, there are a lot of schools of thought on how it could be done. What they came up with was the cleanest way and to make sure their ducks were lined up, and they didn't get the Trustees of the Trust Funds upset, or violate the spirit of the article, was to simply buy the ambulance for \$120,000 with the trade-in and then cut a check for \$8,000 and buy the ambulance back. It's the same cash value. He talked with Deputy Chalk, who said that's already been agreed to with a separate check. The ambulance should be ordered and they should proceed. They should have a rational discussion about this, but they need to be clear on one thing. The Police Chief does not want this ambulance. He spoke with him tonight about that, specifically. He does not want this vehicle, as he would expect to have the same problems as he has had in the past. There are ways to get away from the battery draw; you put a master switch on there right at the battery and you shut the battery off and nothing is going to draw down. That may take care of one problem but he's not sure it takes care of the problem of having a diesel vehicle stored outside. You can get around that by having a heater block on it, and it could sit out there with that, but if it's not the vehicle he wants, and it's just the vehicle the Board wants him to have, does that really make sense? He talked to the Chief about looking a vehicles and he is going to be going someplace in the next week or so that has the type of vehicle he's looking for. The best thing to do is proceed. It's going to be awhile before the ambulance is going to be ready and they have to make the decision and, hopefully, they can come to some sort of a decision in the interim, without holding up the purchase of the ambulance. But he does not want the ambulance.

Chairman Maddox said then when he doesn't have any vehicle because it gets cut from the budget because it's \$46,000... if that's not what the Police Chief wants, then he has what he has, and if it doesn't get funded, he's back in the same boat. They can learn from their mistakes, Obviously, putting a disconnect switch in, disconnecting a lot of the electronics they don't need, but so be it. Pelham is now in a pickle of trying to find a replacement fire truck that they could have bought from Hudson for \$6,000. Sometimes, just trading it away isn't best. They could have looked outside the box and helped them to get a truck. It was just get rid of it, which is unusual for the Town of Hudson, since it loves to save money.

Selectman Jasper asked if the ambulance has been ordered, or if the paperwork has to be signed. Chairman Maddox said this Board said they wanted to order it, so it will be ordered—four people voted for it; he did not, and he changed the vote in the Minutes earlier to reflect that. They traded in a vehicle that he can't believe is only worth that much money. That's where he was going with the fire engine. Pelham's truck is rusting away because they still have a steel tank. For \$6,200 that Hudson traded it in for, Pelham probably would have been glad to get the old KME, putting the \$70,000 they had appropriated into it and had a real truck. For a town as frugal as Hudson is, handing down vehicles forever, the Fire Department seems to have gotten in to the mode of getting rid of them quickly and moving on, for trucks, in his mind, that should last a lot longer. But that's his soap box.

10. NONPUBLIC SESSION

Motion by Selectman MacLean, seconded by Selectman Massey, to enter Nonpublic Session under 91-A:3 II (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or settled, carried 5-0.

Chairman Maddox said this concludes the televised portion of the meeting. Any votes taken after Nonpublic Session will be listed on the Board's next agenda. Nonpublic Session was entered into at 9:05 p.m. and was terminated at 9:47 p.m.

11. ADJOURNMENT

Motion to adjourn at 9:48 p.m. by Selectman MacLean, seconded by Selectman Nadeau, 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