

HUDSON, NH BOARD OF SELECTMEN
Minutes of the March 13, 2006 Meeting

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

2. PLEDGE OF ALLEGIANCE was led by Selectman William P. Cole.

3. ATTENDANCE

Selectmen: Kenneth J. Massey, Teresa Stewart, William P. Cole, Kathleen R. MacLean and Richard J. Maddox

Staff/Others: Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Richard Gendron, Chief of Police; Lisa Nute, Support Services Manager; John Beike; Kathy Carpentier, Finance Director; Guy Blanchette and Doug Bosteels of EagleVue Technologies; Sean Sullivan, Director of Community Development; Tom Sommers, Town Engineer; Ray Rowell; Ben Nadeau; Tom Monahan; Atty. Gerry Prunier; Marty Kennedy, VHB; Steve Shumsky; three other unidentified individuals

4. PUBLIC INPUT

No one wished to speak in Public Input.

On behalf of the Board, Chairman Massey extended get well wishes to Capt. Jack Brewer.

5. NOMINATIONS & APPOINTMENTS

6. CONSENT ITEMS

Motion by Selectman Cole, seconded by Selectman MacLean, to accept items A-E, as noted or appropriate, carried 5-0.

A. Assessing Items

2005 Abatements, (12 Executive Dr, 54 Dracut Rd, 59 Ferry St, 12 Sousa Blvd), w/recommendation to approve.

B. Sewer/Water Items

C. Licenses and Permits

Petition & License for Buried Cable and Conduit Location, McCann Road (9AAD3R)

D. Acceptance of Minutes

Minutes of the Board of Selectmen's Meeting of February 28, 2006

E. Calendar

3/14 7:00 a.m. – 8:00 p.m. Voting at Hudson Community Center

3/15 7:00 Hudson Seniors in CD Meeting Room

3/15 5:00 Water Utility Committee in BOS Meeting Room

3/15 7:00 Library Trustees in BOS Meeting Room

3/16 7:30 Budget Committee in BOS Meeting Room

3/20 7:00 Conservation Commission in CD Meeting Room

3/20 6:30 School Board in BOS Meeting Room

3/21 7:00 Cable Utility Committee in BOS Meeting Room

3/22 7:00 Planning Board in CD Meeting Room

3/23 & 24 CALEA, Florida

3/23 7:00 Open Space in BOS Meeting Room

3/28 7:00 BOS in BOS Meeting Room

7. OLD BUSINESS

A. Motion taken in Open Session on February 28, 2006, following Nonpublic Session

On February 28, following nonpublic session, there was a motion made by Selectman Stewart, seconded by Selectman Cole, to hire Robert Adamson as a full-time Telecommunications Technician in the Police Department, effective March 5, 2006 at \$14.87 per hour, in accordance with Police Union Local 3657, that carried 5-0.

B. EagleVue Technologies

Finance Director Kathy Carpentier, and Guy Blanchette and Doug Bosteels from EagleVue Technologies, were recognized. Ms. Carpentier said he technology plan outlined three different elements that are critical to the success of their plan—hiring a technical support person; continued implementation of the conversion of the Munismart modules and passage of the operating budget tomorrow. The first page is the IT hiring plan, starting with a job description for a help desk individual. She hoped to have someone in place by the end of May. Selectman Maddox asked if this person was just for this building, or for the entire Town. Ms. Carpentier said for all departments, with the exception of the Police. However, that person would be a shared resource. If the Police Department needed that person, he or she would be available. Town Hall needs a person on-site to address the day-to-day issues. Selectman Maddox thought they should have a plan to fix

the entire IT instead of just hiring someone for Town Hall. They are going to get trapped into that cycle again, going nowhere. He thought this exercise was to address the Town's IT needs. The PD would continue to be an island out on Constitution Drive. Eaglevue could be used for a limited time to support the help desk setup, which would give them time to look at the entire picture to fix the problem from the top down, rather than put a Band-Aid on this again.

Ms. Carpentier said this is not a Band-Aid. Doug spends a lot of his time putting out fires on a daily basis, while there are technical issues to be addressed. Her phone rings constantly with people saying their printer or their e-mail doesn't work or they can't get information out of the VAX. They are spending time doing things like that instead of working on the global plan. Eaglevue wasn't contracted to do the day-to-day support stuff, which is happening. There is a void there that needs to be filled in order to continue with the mission. Selectman Maddox said they need to hire someone and start from the top to look at the entire program. It makes no sense to do what it appears they are going to do.

Ms. Carpentier said the second chart was the Munismart implementation. In March and April, they hope to have six additional modules implemented and completed with full implementation by December 2006. The success of that is based on getting the funding needed, which is in the FY07 budget. The implementation schedule is based on critical dates. Animal licensing is supposed to be done in April, and then motor vehicles, property tax billing, water and various other deadlines that need to be met. This is what she, Eaglevue and other key individuals will be working on. Selectman Maddox asked if all of the modules have been purchased. Ms. Carpentier said no. Some them will be purchased this year and the remaining modules will be purchased in 2007. Selectman Maddox recalled that when they purchased Munismart, if they purchased five, they'd get two free, but the Town only bought three. He asked if they still had the ability to capture some savings. Ms. Carpentier said the purchase of the module is not the greatest expense; it's the maintenance, which has to be paid as soon as the modules are purchased. If the modules aren't implemented right away, paying the maintenance is wasting money. Just because it's free doesn't mean it is the best buy. Selectman Maddox said a few weeks ago, Mr. Sullivan told the Board the Code Enforcement module was \$20,000 by itself. Ms. Carpentier said she could not respond specifically to that, but thought it would be in the range of \$3,000-\$4,000. Perhaps he was talking about three or four modules that his department would need, which would be closer to the \$20,000 figure.

The third piece consisted of items they brought to the Board in January, as well as by LisaNute and her in October during the budget process. They hoped to achieve these items with the 07 funding, but some of the things need to happen now. They are struggling, trying to focus on the big picture, while fielding daily phone calls. The technology committee is really a user group. It's to find out what people need and how the modules can better fit their needs, etc. Lisa Nute is chairing the animal licensing project, so she is an integral part of this. Some of the critical things Ms. Carpentier hopes to accomplish by the end of 06 is to create the user group, hire an employee to help with the technical day-to-day things, buy new servers, get active directory and a new domain, create a technology plan--a business plan--with department heads and the Board of Selectmen, saying where they want to go in the future. She'd like to continue the contract with Eaglevue, do the help desk operation, replace 10 PC's that are budgeted, implement MS Office and Outlook to get them off the current external e-mail, replace and purchase printers, equip the Town with UPS and continue with implementation of Munismart modules to get off the VAX.

Mr. Bosteels said it was important to have a technology committee dedicated to implementing the Munismart modules because you get input by all of the departments and what they are looking for in that particular module. There needs to be someone on-site to handle the daily issues. Eaglevue is on site only twice a week. They wanted the Town to get the active directory up and running with new servers and a new domain to migrate off the VAX, which is on the plan. Lisa Nute is being kept in the loop. The technology plan changes day to day. The help desk is crucial to a successful IT organization. The Outlook and partial Office implementation is key to getting generalized e-mail back into this facility. The project plan is implementing the Munismart modules. He went through each module and put a few tasks together that Eaglevue would do and the Munismart requirements and what the two would have to coordinate to get the module installed. The key modules they want to get up and running and off the VAX immediately are utility billing, motor vehicle, accounts receivable and animal licensing.

Selectman Maddox asked when they were unplugging the VAX. Ms. Carpentier said, in a perfect world, in December, after the modules are implemented, but they wouldn't unplug it; they would stop relying on it. They would be doing some parallel work for awhile to keep things archival for about an extra three months. Selectman Maddox thought they were going to be off the VAX at the end of this June. Chairman Massey said it has always been at the end of the fiscal year in 2007. Ms. Carpentier said some key elements have changed in the last three months. They have less resources to work with in order to allow them to focus on the plan, but she believes it can still be implemented, if the crucial elements fall into place. The plan has not grown; it has gotten smaller. Selectman Maddox disagreed, saying he thought the VAX would be gone, but now he is hearing it's going into calendar 2007. Ms. Carpentier said that is still fiscal 07, through June.

Selectman Maddox said where he works, if an employee can't operate their mouse, or if their screen goes dead, they call an 800 number. Why couldn't the Town use that type of service? When he looked at some of the historical IT data, most of the problems were with mice—probably because the equipment is so old. He can't see hiring someone to walk around this building 40 hours a week, fixing mice. Mr. Bosteels said the major component of the Town's business relies on the VAX, which is very keyboard intensive; it's not point and click, which most people are used to. Someone is needed who can get information from the VAX. Selectman Maddox asked if now they want to hire someone who is capable of working on the VAX. Mr. Bosteels said someone who understands the VAX, not necessarily learn it The goal is to get off the VAX, so they don't want to bring in an old skill set. Selectman Maddox said that's what he's hearing they need. Mr. Bosteels said someone with knowledge of the VAX to run the everyday business right now. Ms. Carpentier said right now, that is Eaglevue. They are muddling their way through, trying to get the information off the VAX or check the data integrity that's out there. This

morning, no one at Town Hall had e-mail. Doug came in and got things working. They need someone here to take care of that type of thing. Some of the issues may be because the equipment is old, but they need someone to get quotes for the needed equipment. If someone is providing technical support, then they are not able to work on the big plan. Selectman Maddox asked what they were looking to hire. Ms. Bosteels said a technical person to handle the daily issues, who knows Windows and can allow Eaglevue to manage the VAX side of the house.

Mr. Blanchette said the Town needs to hire someone to do the day to day extraction of information from the VAX, which is something that can be easily taught. Major VAX work could be done by Eaglevue. If Doug has to spend ¾'s of a two day contract doing the day to day stuff, he doesn't have time to do the major stuff. All of that takes time and could be done by a lower level VAX person, as well as a network administrator. Doug could show them once how to do it, so it's not piling up, waiting for Doug to show up on Tuesday or Thursday. That way they could keep on their schedule of transferring over to Munismart and doing the project management for Munismart, making sure they are deploying active directory correctly. Since a staff person is no longer with the Town, the smaller stuff backs up. Doug spends a lot of time dialed in to Hudson, resolving issues. The intent is to find a person to handle the day to day minutia, someone to work with the VAX—not a programmer—so things don't back up and take up Doug's time, which could be spent on the project management of getting Munismart deployed, getting active directory deployed, getting e-mail messaging back on, getting a new network deployed, etc.

Ms. Carpentier said the intent is to come to the Board's next meeting with a job description, drafted by Eaglevue, Lisa Nute and her—and anyone else who wants to provide input. With the Board's approval, they will post and advertise the position.

Selectman Cole spoke about UPS--Uninterrupted Power Supply. Mr. Blanchette said a lot of the issues occur during brownouts. Data can be corrupted easily that way. The UPS would provide battery backup and line conditioning in the building because the power isn't overly smooth. Selectman Cole asked what happened when the power goes off now. Mr. Blanchette said oftentimes the data that is being worked on at the time gets corrupted. Chairman Massey referred to the big lightening strike the Town took about six months ago, saying there was a significant loss of equipment in this building. With UPS, a significant number of those systems probably would have been saved. Selectman Cole asked what form the UPS would take. Mr. Blanchette thought it would be a rack format and they would distribute the UPS system so that there would be redundancy so that a server with a dual power supply can actually go out to two different UPS's. They are not talking about a building UPS, just taking care of the building critical applications, making sure Munismart is supported, the e-mail messaging backbone is supported and the switches. Selectman Cole agreed that if someone was just going around fixing mice, they could call Bombay, or wherever. His understanding is that a job description is being developed, which the Board can fine-tune and make it more or less complex.

(Start Tape 1-B)

He asked what Selectman Maddox meant when he called the Police Department an island. Selectman Maddox said the Police Department has IT people dedicated to just their facility. The Town should be looking at what is needed for the whole Town. They need to look at the entire picture with personnel. To hire someone to come in and do what they are looking to do is shortsighted. They'd be better off buying UPS's now, not hiring somebody. That would probably fix a good number of the issues. Do some training with the people on basic repairs would do better than hiring somebody to be in this building 40 hours. He hasn't seen any justification for spending that money. He wants to look at this from the Town's perspective—every avenue. They need to look at what's best for the Town. Chairman Massey said to look at Page 3 to see where that all comes together.

Mr. Blanchette said when the System Administrator's job description is fully developed, they could look at the Police Department to see if there is any resources that can be used, but there needs to be someone on site, even when the technology plan is done—a day to day individual, creating reports, helping application development, etc. In the original plan, there was a help desk and a System Admin person. Once the job description is drafted, it can be refined. He didn't know what the Police have. Selectman Maddox thought Eaglevue was looking at all of the IT needs. Mr. Blanchette said they did, but not at head count at the Police Department. Chairman Massey said that would be a part of the IT technology plan. Selectman Cole said they are not hiring anyone right away, even if the schedule indicates two months out. He'd like to see the job description to see how it dovetails with everyone's concerns and what the implications may be for the Police Department, at some point in the future.

Selectman MacLean asked if they were fine-tuning a job description, or if this was a brand new position. Chairman Massey said a new position that an individual might have been able to fill. It's the creation of a new function with a set of tasks to be performed. Selectman MacLean asked if it would be contracted out. Chairman Massey said that would be the Board's decision. Selectman MacLean asked if they could bring in someone new for a new position without voters' approval. Chairman Massey said there is an open position that is being redefined. Selectman Cole said there are actually two vacant positions.

Selectman Maddox asked Eaglevue to submit a price if they were to do the work that the to-be-drafted job description calls for. Mr. Blanchette said he could do that. Selectman Maddox understands they are currently trying to do multiple things, and he appreciated the work they are doing, but he didn't want to hire someone to fill an immediate need, when that might not be the need in three to six months. Chairman Massey didn't want anyone to lose sight of the fact that there needs to be an individual who can function as technical support, who keeps everything running, physically. There are a lot of mundane tasks that have to be done in a computer environment, and not necessarily contracted out to somebody. If it was contracted out, they would be on site. Any final IT plan would include some type of Town-wide system administrator. Selectman Maddox didn't disagree, but to support them while they need someone, get somebody now, and then look at the big picture in leisure, as opposed to trying to make a decision in haste. Chairman Massey said they can look at that when they see the job description at the next meeting.

Selectman Cole thought they already agreed to get temporary help for a certain period of time before they hire a full time person. Ms. Carpentier said they contacted a technical temp agency, looking for somebody to pitch in, but they were unable to find the resources. They are trying different avenues. Chairman Massey said if they want to get off the VAX, the three critical success factors were support, budget approval, and the extension of EagleVue's contract to complete the technology plan and transfer off the VAX. For now, they will wait until the 28th for the job description.

C. Public Hearing on Petition to acquire Land for Water Storage Facility

Town Administrator Steve Malizia said they have been working on the South Hudson water storage facility and to that effect, there has been a parcel of property that has been identified as being the optimum site for the location of that tank. Tonight, the Board has scheduled a public hearing to take comment. The abutters and property owner have been notified of the hearing.

Chairman Massey opened the public hearing at 7:42 p.m. and asked if anyone wished to speak.

Steve Shumsky, 14 Brookfield Drive, asked how high the tank would be and how much would be buried. Town Engineer Tom Sommers said the tank will be 65' above the top of the hill. The tank will not be buried. It will sit on top of the hill, but might be flattened out a little bit. It's a concrete gunnite tank about 50' in diameter and looks like the tank at the golf course.

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Tom Monahan, owner of the property, thanked the Town for their professionalism in his meetings with Chairman Massey and Selectman Maddox, although he didn't like the outcome. He owns the 230-acre parcel and although it's only an acre and a half of land, his job every day is to add value to what he owns, and losing 1.6 acres isn't adding value. During the negotiations, he was always asked how much money he wanted. He couldn't give a number because there isn't one. That isn't to say he doesn't like money, but there are other things more valuable than the money. The Town owns a land-locked eight-acre parcel located in the middle of his 230 acres that he'd love to have been able to swap and the Town wouldn't have had to expend any money. He would have loved the opportunity to tie into the water system at a reduced rate at some point in time when he develops the parcel. He would like the opportunity to be part of a new sewer district, if one is created in that area. He understands that the Town needs a tower in the south end and there may well be a substantial development there. The value to his property is the size of the land because there are so few parcels of 230 acres and pretty soon there will only be one. He asked the Town to reconsider paying for the land and maybe a trade could be done to save the Town a substantial six-figure sum.

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Thomas Steeves, 11 Groves Farm Road, said he owns 50% of the house that is on the south side of Groves Farm Road. He asked if the Town Engineer considered the impact of noise and dust in that neighborhood. The current design shows the access road directly across from his driveway. It appears there was no thought given to that because there are other accesses into that area, closer towards Lowell Road, which could be used for construction, and which would cause less of an impact to his property. He asked if the impact of a catastrophic failure to the tank had been considered, as he is downhill from the tank. If there was a shorter access to Lowell Road, if that was where the water main would be, rather than come down to Groves Farm and then down Groves Farm Road, maybe they could do that and wouldn't need to tear up the road, which the Town paved a few years ago. He wanted to know if there was a computer module of the site lines that will be impacted that he could look at. They are 70' below the tank and the tank will be 65' high, so it will be 130' above their property.

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Mr. Sommers said they were in the design process, so all of the elements were on the table. The purpose of the hearing tonight was to purchase the property, not about the design. The location of the tank was determined by the elevation. The contractor will have to meet certain guidelines and they would be in touch with Mr. Steeves. The actual tank is 600' – 700' away from him. Relative to catastrophic failure, the flow would go off in different directions. However, these tanks are known for being very strong. They have a substantial redundancy factor in terms of safety of construction. As far as construction goes, they will be within the limits of an easement that will be close to the front of Mr. Steeves' house. The contractor will have to follow noise and dust control requirements. There will be some disturbance and some issues, but they can work with that. Groves Farm Road will be ripped up, reconstructed and replaced after putting in a 16" water line. This was considered to be the best access because it allows them to stay within the actual location of where the water line is intended to go so they are not disturbing other areas to get to the site. Most of the construction will be done at the actual site, with the exception of putting in the water line. Once the water line is in, Mr. Steeves will not see traffic very often, with the exception of a pickup truck about once a week for maintenance and inspection purposes. Mr. Steeves asked if that access road would ever be part of a permanent road. Mr. Sommers said it would be part of a permanent easement. It's intended to be a 14' gravel travel way. If it were to become something else, as part of further development, that is a whole different issue. There is always that potential, and Groves Farm Road is an access road, which is an issue for another day. As far as the view goes, they would be taking down as few trees as possible around the tank. He hadn't intended to do any modeling because he thought it was set back far enough, but he can look at a section and let Mr. Steeves see that in the process of the design so he can get an idea of what they are talking about. Mr. Steeves said that would help because the elevation and the height of the tank doubles the height. Mr. Sommers said instead of modeling, he will at least provide a section down through there so they can see what happens, etc. Mr. Steeves asked if there was any thought of running a water line directly to Lowell Road. Mr. Sommers said they did not find an area for that, mainly because of the wetlands. This appeared to be the best route, not necessarily the shortest route, and not that they can't look again.

There being no further speakers, the Chair closed the hearing at 7:56 p.m.

Motion by Selectman Cole, seconded by Selectman MacLean, to adopt the resolution regarding the necessity to acquire land, carried 5-0

by roll call vote.

Selectman Maddox asked if this would be going before the Planning Board for a cursory review, per RSA 654:54, so Mr. Steeves will have another opportunity to bring these issues forward. Mr. Sommers said he will be coming back to the Selectmen to ask them to adopt the RSA which allows the Selectmen to do a municipal project without going through the standard review, but it does require a cursory review by the Planning Board. Selectman Cole said the RSA allows comment and recommendation by the Planning Board. Mr. Sommers said that was correct, and it provides a hearing avenue where the abutters are notified. Selectman Maddox said the Planning Board can provide input, but they cannot control the site plan.

(Start Tape 2-A)

Mr. Sommers said they cannot meet the zoning requirements, which is the purpose of that RSA. There are height and setback issues. It's not about a private development; it's about a public use of a utility. Selectman MacLean asked if the resolution was going to be read out loud. Chairman Massey said it was rather lengthy and there were copies available, if anyone was interested.

Motion by Selectman Maddox, seconded by Selectman Stewart, to authorize the Chairman of the Board of Selectmen to sign the Notice of Offer to Purchase, in the amount of \$220,000, carried 5-0 by roll call vote.

8. NEW BUSINESS

A. Award of Bid for 2006 Replacement Police Cruisers

Chief Gendron said this purchase was recommended by the Finance Director and him. There was no discussion.

Motion by Selectman Stewart, seconded by Selectman Cole, to award the bid for four 2006 police cruiser sedans and two mid-size sport utility four-wheel drive vehicles to the lowest bidder, MacMulkin Chevrolet of Nashua, NH, in the amount of \$115,792, as recommended by the Chief of Police and the Finance Director, carried 5-0.

B. Lowell Road Sidewalk Project, Winn Avenue to Birch Street (reduction in scope of work)

Town Engineer Tom Sommers withdrew this item prior to the meeting.

C. Consultant Recommendation re. Green Meadow Project

Director of Community Development Sean Sullivan said the Board's packet contained a recommendation for a consultant for the Green Meadow project. A committee, established by the Board, solicited proposals from review engineers to help the Town plan for the project and to help the Town take more of a global thought process as to things the Town should be thinking of, prior to the development being formally applied for. Two members of the Board were on the committee, as well as three staff members. They interviewed three different firms and selected VHB on a qualifications-based process and requested they submit a proposal, which they have done. A representative from the company, Marty Kennedy, was present in case there were any questions. The Town's attorney reviewed the proposal and Mr. Sullivan passed out the opinion he received today.

Selectman Cole asked for an overview from Mr. Kennedy. Mr. Kennedy said he broke out the work effort into three elements. The first is 'Direction,' which is about the Town taking control of the process, as opposed to the developer taking control. For example, on the traffic side, they are suggesting there be an initial scoping meeting. They would sit down with the developer and their team and tell them what needs to be evaluated, and any of the other study elements, they (VHB) would identify up front what the developer needs to do and what needs to be submitted. VHB suggested that there be some type of advisory committee put together--representatives of Townboards, or whoever the Board wants on that committee. The idea would be, before something is submitted to the Planning Board, everything is pulled together and organized through this committee. The idea is for the Town to run the show, as opposed to the developer laying out its timetable. Throughout that, there are other levels of communication that would need to occur between the developer's team and the Town—maybe NH DOT or NRPC, or other municipalities, etc. There would also be meetings with staff and other types of coordination.

'Technical Reviews' are things that they would need to review, such as traffic studies or conceptual plans. It's difficult at this point to get a sense of what is going to be involved in reviewing those. Whenever those things come in, VHB would review that product and put a detailed scope, a level, and a cost would be involved, and there would be a signoff at that time. The final element is called 'Our Evaluation' which is information VHB would provide to the Town with respect to the impacts of municipal services--a report from the VHB team to the Town. VHB would bill at an hourly rate and invoice monthly. That invoice would include the individuals that worked on it, the number of hours and the cost for that. There would also be a cover letter sent to Sean, included with the invoice, that would describe what was done that month.

Selectman MacLean asked if the hourly rate was the same for every task. Mr. Kenney said the rate would be based on the individual performing the task. A senior person would have a higher rate than a junior level person. Selectman MacLean said if the Board approves this agreement tonight, before they sign off on anything, the hourly rate will be made known. Mr. Kennedy said yes. Under the Direction element, they set a \$25,000 maximum limit. He didn't know how many meetings there were going to be, or where this was going to go, but they would bill the Town monthly and Sean could monitor that. He could provide ranges of hourly rates right now, but they won't know who is going to be working on each element until they get to those pieces.

Selectman Maddox didn't see VHB doing the nuts and bolts things of every day that Town staff or CLD are presently doing. He thought VHB was going to be looking at the big picture. VHB's job is not to get tied down in the minutia, such as a snail in the wetlands, but to

look at how the project will impact and affect the traffic from the big picture, as far as from the historical data, the life style centers generate X amount of growth over and above what they install in the existing plan. He didn't see VHB doing some of the things that were in the agreement, as they already have people to do that. He was hoping that VHB would look at the economics, the infrastructure, the environmental issues—the big picture. Mr. Kennedy said VHB can do this however the Board wants them to. They can be directed to do as much or as little as the Board wants them to do.

Selectman Maddox said the Board needs to spend some time looking at what they want VHB to do. NH DOT is already having scoping meetings for traffic. They will provide the Town with a certain amount of what they think is going to be needed, so VHB doesn't need to be telling the developer. Until the Town knows what is coming before them, the direction phase of the plan is a little skewed, but it's not up to the Board to control; it's whatever the developer decides they are going to propose, then they can go from there. He agreed that they need to look at the Massachusetts part of this whole project—the Town roads impact, the mitigation—but to go up and say, "you need to look at this," as far as the scoping, VHB will just add another level of expertise that they don't need. How long will this go on? What type of valuation on a routine basis? This plan is probably going to last 12-15 years, depending on economic conditions. How will VHB interface into that as the big picture, overview, engineering review team, as opposed to the day-to-day-on-the-ground people? That's his kind of question to the Board and to VHB.

Selectman MacLean said originally, she wasn't on board for this right away. She wanted to wait and not be reactive. She didn't think she needed to be doing this right now, but at Town Meeting, the people voted for that money for this purpose. Is this what the Board wants? It isn't exactly what she wanted, but it seemed like that's what the voters wanted.

Selectman Cole said the proposal was an example of the services VHB could provide and some recommendations they thought the Board might be interested in, either now or some time in the future. If the Board signs it, VHB would be agreeing to sit down and do what direction the Board gives them. The Board isn't locking themselves into anything. VHB provided estimates on how much something might cost to study. The voters want them to move forward. They have advertised and marketed themselves as moving forward and for them to now go back and start reviewing, studying and fine-tuning this agreement, they will never get anywhere. They've gone to a lot of trouble to get money into next year's budget. He asked Mr. Malizia, if the Board needed \$1 tonight, where it would come from. Mr. Malizia said there is \$45,000 in Contingency.

Motion by Selectman Cole, seconded by Selectman Stewart, to secure the services of Vanesse Hangen Brustlin, Inc., on a retainer basis, in accordance with their proposal dated 28 February 2006, parts 1 and 2, with the initial retainer in the amount of \$25,000 which will come from Contingency.

Selectman Cole said they have the opinion from the Town Attorney, who has no problem with the agreement, with the exception of not knowing the billing rates prior to telling VHB to move forward on something. From a legal standpoint, the Town is covered, so he sees no reason why they can't move forward. He and Selectman Maddox were on the committee that did the interviews and they felt more than confident in VHB's capabilities. To put them on a retainer basis just means they have a contract. When the Town moves forward, whether it's tomorrow or next month, and they decide they want to do this or do that, they will take it on a case by case basis, and the direction phase is where they want to start.

Selectman Maddox asked if the Board was hiring VHB on a retainer, then telling them to do nothing? Selectman Cole said that's what they do with their attorneys all the time. It's critical for a number of reasons, not the least of which is public relations, that the Board, having done all the work they have done, to move forward. The Town Attorney has no problem with the legal side of the document and VHB are only proposing recommendations. The Board needs to get VHB on contract to get that ball rolling.

Vote: Motion carried 5-0.

Chairman Massey said they would be in touch with VHB very soon to initiate the first steps on what they want to see happen. Selectman Cole asked Mr. Kennedy to forward a list of rates of the various positions. Mr. Kennedy said he would.

9. **OTHER BUSINESS/REMARKS BY THE SELECTMEN**

- A. **Kathleen MacLean** – Relative to timing of zoning determinations, the original interpretation was that the 30-day clock started when the Planning Board meets, but it actually begins from the date the zoning determination is made. She asked for a consensus from the Board to ask the Zoning Board to check out that section of the Code, and see if they could recommend a change. No one had a problem with it, but Selectman Maddox said that didn't fix the problem today. If the Planning Board meets on March 1, and the Zoning Administrator issues a zoning determination on March 2, the Planning Board wouldn't see that determination until their next meeting, but the 30-day window started when the determination was made. If someone wants to appeal it, it has to be done in haste. That is short-sighted. If information was shared in advance, that determination might not be appealed. Amending the Code is six months away at best. They should look at getting the information out to the boards sooner. Mr. Malizia thought zoning determinations were sent out the next day to every individual. Selectman MacLean said Sean told her when he makes a zoning determination, he sends it out. Selectman Maddox said it is sent out to the person who requests it. Everyone else gets it in their packets. Selectman MacLean asked if Sean should wait to make his zoning determination a little closer to meeting dates. Selectman Maddox said there are times when the Planning Board might not appeal, if they had time to look into it. He was also hoping to avoid confrontational issues between the boards and Zoning Administrator by moving paperwork more expediently. Selectman MacLean said she'd see what she could do. Selectman Cole asked what triggered the zoning

determination being issued. Selectman Maddox said a written request. Selectman Cole asked if Mr. Sullivan was governed by some statute as to the time parameters. Selectman Maddox didn't know. Selectman Cole suggested that Mr. Sullivan could control the clock a little better, without breaking any laws. If the Planning Board meets on March 1, and he gets a request for a determination on March 2, Mr. Sullivan could issue his determination two days before the next meeting, so the 30 days isn't squandered. Selectman MacLean said she had asked Sean if he could make the determinations on the first and third Tuesday, so it could get into the second and fourth Wednesday packets, but he said he makes them right away. Chairman Massey asked Selectman MacLean to convey Selectmen Cole and Maddox's comments back to the Zoning Administrator.

Sean Sullivan asked her to announce that now is a good time for residents to start thinking about warm weather building projects like swimming pools or structural additions to their homes. With warm weather approaching, demand for land surveyors and civil engineers will increase, as will the agendas for land use boards. Being pro-active will expedite the permitting process.

Candidates' Night was last week, sponsored by the Hudson Jr. Women's Club, was very nice. The last question to all the candidates was what one thing they would change about Hudson, if they could. All the responses were great, but she wanted to paraphrase David Alukonis' answer. If there was a flag waving in the background and patriotic music playing, it would have brought her to tears because his response was so beautiful. He would like to see the hall filled with people, and the ballot filled with names and the Selectmen's meetings and School Board meetings would be filled with concerned citizens. She thought that would be a wonderful change, to have that many people get involved. She thanked him for those sentiments.

(Start Tape 2-B)

B. **Rick Maddox** said Candidates' Night was very interesting, even though a couple of them didn't make it. He congratulated Selectman Cole's son for graduating from FBI school in Quantico--a good reason for him not to be at Candidates' Night.

Channel 20 was showing the interview at Hills House with the four Selectmen candidates, and it will be replayed at 10:00. It was well done, with kudos to Hudson Community Television, which has put a lot of the political information out there, showing a lot of the meetings. He praised HCTV for what they have managed to do. Selectman MacLean interjected that kudos were due the program's producer, Jean Serino, who came up with the idea and got the ball rolling. Selectman Maddox agreed.

Tomorrow is election day, 7:00 a.m.-8:00 p.m. At the 2004 presidential election, over 12,000 residents voted. Because of the rain tomorrow, the pundits are saying about 2,000. During the year, Selectmen make decisions for the voters. Tomorrow, the voters will decide who will represent them and the issues that are on the ballot. He wished the best to Selectmen Cole and Stewart, the only contested races. It's important for the citizens to vote so the Selectmen know how they feel on all of the issues.

Thumbs Up/Thumbs Down items in the HLN sometimes indicate the Board doesn't like each other, but people confuse not liking each other with the passion they have for the position they hold. He holds his fellow Board members in the highest regard, but sometimes when they are all going at what they feel is the right thing for Hudson, they may get a little too vocal and a little too heated, but he respects all of the people here and he's sure it goes the other way. That's what a democracy is about. If people want a board that agrees on every vote, it's not good. 3 - 2 is not a bad vote. It means people voted the way they thought was correct. Sometimes people see a snippet and get the wrong idea. He'd love to say they always agree, but they don't. But they always walk out of the room believing they did what was best for Hudson. They will be at the Community Center tomorrow, so people should stop by and tell them how they feel. He hoped to see thousands.

C. **Terry Stewart** congratulated Selectman Cole on his son being sworn in to the FBI last weekend. Erich was also with the Army Rangers. He serves the country very well and she's sure Dad is very proud.

She finally found a library idea that she could support. A Town resident contacted her, and after doing some research, along with Jim Michaud (Assessor) they came up a property in Town--5 Executive Drive, a 35,000 sq. ft. facility. A second floor could be put in because the ceilings are 18' high. The price is \$1.9 million, before retrofitting it. She asked the Library liaison to pass this along to the Trustees at their meeting on March 15. It is centrally located and near two schools--Presentation of Mary and Nottingham West. At the Alvirne site, there are some issues that might conflict with the sexual offender law that is being proposed in Concord--having a library that is accessible to anybody being so close to a school. That's something the Library Trustees really need to think about. This was just another option to consider--thinking outside the box. Selectman Maddox said he would take this to the Library Trustees, but not on the 15th because he has to be at NRPC.

She wished Selectman Cole good luck tomorrow and encouraged everyone to get out to vote. She thanked Jean Serino for hosting the candidates' chat at the Hills House. She hoped that Jean, or other citizens, would make arrangements to have chats with different groups in Town--the Girl Scouts, Boy Scouts, soccer team, etc. There is so much potential in a Town of 24,000 people. And, yes... she was at the Red Sox last Tuesday.... and it was 85°... and they won.

D. **Bill Cole** appreciated the kind comments with regard to his son's accomplishment at the FBI, which he will pass on to Erich. He, too, encouraged the residents to take the opportunity tomorrow to exercise their right to vote. The future of Hudson is on the line, and that vote will decide what that future will be. He hoped everyone gets out to vote, regardless of the weather.

He mentioned there was something in the packet about CTAP and wondered what that was about. Chairman Massey said the input was needed by March 6. Selectman Maddox said as 93 is going nowhere, so is this, but they will take it on the 15th for their meeting on the

16th. He just didn't want to be the only one filling it out, if other people had opinions they wanted to share. Chairman Massey asked if the Selectmen should fill them out and then Selectman Maddox would combine them. Selectman Maddox said no, but if anyone had any burning issue on any of them, he'd put that forward. Chairman Massey said individual Board members could speak with Selectman Maddox about any they had an interest in.

- E. **Ken Massey** said communities are made up of people. Last week was no exception. The blood drive was another success, with 165 pints collected. He extended the Board's thanks to the Police and Fire Departments and Town employees who volunteered to make this a success. He especially thanked all of the businesses who provided the food--a big enticement to get people in.

The CIP is scheduled to be kicked off the first week in April. He asked John Cashell to consider changing the way in which it is done. Rather than aggregating all projects in Town, separate them into three separate priority lists: Town, sewer and water. All three are funded from different sources. You shouldn't have to have a priority conflict between the #1 sewer project and the #3 Town project. It would be to the Town's benefit to create three separate priority tracks, given that there are three separate funding mechanisms. Selectman Maddox said then they should have a separate one for Cable. Chairman Massey said that would hold true. Selectman Maddox thought the whole idea for CIP was looking at how they are going to spend their money as a Town. Mr. Malizia said it's the full faith credit of the Town of Hudson. Selectman Maddox said they have to look at where they want to spend their money, and most of those are big ticket items. It is one pile of taxpayer money. Chairman Massey said no, it's rate payer money for the water and sewer utilities. Selectman Maddox said there was no distinction when he gets the bill. Chairman Massey said the priorities for the Town projects should be separate from the water utility and sewer utility. Unless he hears some big objection, he'd like to recommend that's the way they ask the CIP committee to do their due diligence this year. Selectmen MacLean and Cole had no objection; Selectman Maddox opposed it.

Chairman Massey learned a long time ago, that everyone should adopt as their creed, that there is nothing you can't accomplish if you don't care who gets the credit. That defines, in large part, when things are successful and when they're not successful.

He echoed everyone's comments about tomorrow's elections. It is the future of the Town and voting does make a difference. He encouraged everyone, regardless of the weather, to get out and vote. He and Selectmen MacLean and Maddox need to be at the polls. At least two of them need to be there for opening and closing. Selectman Maddox said that's his idea of a vacation day.

10. **NONPUBLIC SESSION**

Motion by Selectman MacLean, seconded by Selectman Stewart, to enter Nonpublic Session pursuant to 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, and (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 8:50 and was terminated at 9:00 p.m. No votes were taken in open session.

11. **ADJOURNMENT**

Motion by Selectman Stewart, seconded by Selectman MacLean, to adjourn at 9:00 p.m. carried unanimously.

Recorded and transcribed by Priscilla Boisvert
Executive Assistant

HUDSON BOARD OF SELECTMEN

Kenneth J. Massey, Chairman

Teresa Stewart, Vice-Chairman

William P. Cole, Selectman

Kathleen R. MacLean, Selectman

Richard J. Maddox, Selectman

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