

HUDSON, NH BOARD OF SELECTMEN
Minutes of the February 28, 2006 Meeting

1. **CALL TO ORDER** by Chairman Kenneth J. Massey at 6:30 p.m. in the Selectmen's Meeting Room at Town Hall.

Motion by Selectman MacLean, seconded by Selectman Stewart, to enter Nonpublic Session, pursuant to RSA 91A:3 II(c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting, carried 4-0 by roll call vote. (Selectman Maddox was not present for vote.) Nonpublic Session was entered into at 6:30 p.m. and was terminated at 7:17 p.m.

2. **PLEDGE OF ALLEGIANCE** was led by Selectman Terry Stewart.

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; Fire Chief Shawn Murray; Police Chief Richard Gendron; Tom Sommers, Town Engineer; Joe MacLean; from CHIPS: Police Lt. Tousignant, Officer Hoebeke, Gary Rodgers, David Alukonis, Lee Lavoie, John Beike, and the Mousseau and Roy families; Linda Kipnes; Connie Owen; Atty Jay Leonard; Ed Vydra, W/S Development; Doug Robinson, HLN.

4. **PUBLIC INPUT**

A. **BOS recognition of \$2,650 donation to CHIPS.**

Lt. Tousignant was present on behalf of CHIPS (Children of Hudson Interacting with Police Services), a committee that has been around for about 15 years. He recognized some of the members present: Chief Gendron, Officer Hoebeke, Dave Alukonis, Lee Lavoie, Gary Rodgers and John Beike. Also present were the Mousseau and Roy families. CHIPS sponsors Fright Night and they sponsor two or three children from Memorial School, who can't afford the trip to Washington. They also sponsor a Hudson Youth Baseball T-ball team. The donation from the Mousseau's and Roy's will be a great help because Fright Night, alone, costs \$5,000. Mark and Gail Mousseau and their daughter Haley were recognized, along with Paul and Claudette Roy. Mr. Mousseau stated that every year, they do a Christmas display at their home on Pelham Road. This year, they collected \$2,650 which they presented to CHIPS. Chairman Massey extended the Board's thanks for the donation and, on behalf of the community, appreciation for their Christmas display.

B. **Hudson Firefighters helping Madison McClellan**

Fire Chief Shawn Murray read the following statement. "My name is Shawn Murray and I live at 55 Kienia Road. I am also the Town's Fire Chief. I wanted to speak before the Board tonight under Public input to tell you about a number of people who have stepped forward to help a little girl. This little girl's name is Madison McClellan. Madison is a first grader here in Hudson. Two weeks ago, Madison's wheelchair lift broke. She faced a dilemma on how to get down the stairs so she could go to school. The Fire Department received a telephone call, asking us to help get Madison down the stairs. It was critical that Madison go to school, not only to learn, but to maintain her perfect attendance record. When the firefighters learned that her wheelchair lift was broken, it became more than lifting Madison up and down the stairs for the next week; it became a mission for the firefighters to get it fixed. Something firefighters and EMT's do every day--respond to help people. Community spirit is alive in Hudson. A newspaper article in the Nashua Telegraph resulted in a flurry of donations and offers to help. To date, over \$3,000 has been received and the donations are continuing--some as far away as Maine and Massachusetts. We have received offers to repair the chair lift and it is being evaluated and awaiting parts. The plan is to use the donations for the parts and repair, a service agreement to assure the lift is serviced and maintained regularly, make needed repairs to the stairs and deck that holds the lift, and any other needs that will allow Madison to move about freely. We will keep you updated on our progress. I want to thank all of those people that stopped by and made donations to Madison's chair lift. People literally lined up to make donations. Thank you to the Hudson firefighters who not only lifted Madison up and down the stairs, but also lifted her spirits by being a friend and "one of the boys." Other organizations, such as Hudson Professional Firefighters' Local 3154, who offered to coordinate the repairs to the chair lift, Hudson Lions Club, who made the first pledge of \$500 towards repairing the chair lift, Ashley Smith from the Telegraph for publishing Madison's story, and of course, to the Hudson community and all of the other people for coming forward to help Madison. Thank you."

C. **Ken Massey's response to Letter to the Editor, "Lot of Smoke and Mirrors"**

After turning the gavel over to Vice Chairman Stewart, Ken Massey read the following statement into the record. "Madam Chair, In the Friday, 24 February 2006 issue of the Hudson-Litchfield News, there was a letter to the editor with the headline, "Lot of Smoke and Mirrors at the Police Station." At one point in the letter, I quote: "The Selectmen tell us that we now need handicap accessible jail cells. . . a few sentences later. . . so what's wrong with this picture? Didn't handicap laws exist 12 years ago when we built the new police station? Of course they did. So maybe the plan from 12 years ago was put together by ignorant people who didn't know what they were doing? That would be the same police chief and the same architect who are pushing Selectmen for the new addition.'" Close quote. This out-of-bounds comment demands, nay, cries out that a response be made. When the police station was built 12 years ago, it was in full compliance with all Americans with Disabilities Act (ADA) requirements. The station is still in full compliance with ADA requirements. Let me repeat; when the police station was built 12 years ago, it was in full compliance with all ADA requirements. The station is still in full compliance with ADA. Merriam Webster's Collegiate Dictionary defines ignorant as 1) destitute of knowledge or education, also

lacking knowledge or comprehension of the thing specified; resulting from or showing lack of knowledge or intelligence; 2) unaware, uninformed. Was it ignorance that cause the police station to be built with full compliance with ADA requirements? I didn't think you would say yes. Was it ignorance for the writer of this letter, who was then a Selectman, to have his name inscribed on the building plaque for a station that was built with full compliance with ADA requirements? I didn't think you would say yes. Lacking knowledge or comprehension, unaware, uninformed? The writer owes a public apology to the Police Chief and the Town. Thank you Madam Chair." Mr. Massey took his seat back as Chairman.

5. NOMINATIONS & APPOINTMENTS

6. CONSENT ITEMS

Selectman MacLean removed Item D; Selectman Maddox removed Item E; Chairman Massey removed Item B. Motion by Selectman Cole, seconded by Selectman Stewart, to receive the Consent Items, A, C & F, with appropriate referral carried 5-0.

A. Assessing Items

- 1) Superior Court Docket #05-E-0260, 220 Lowell Rd, w/recommendation to approve
- 2) 2005 Property Tax Abatement, Map 138/Lot 59, w/recommendation to approve
- 3) Abatement Application, 29 Rangers Dr, w/recommendation to approve
- 4) Abatement Application, 3 Gibson Rd, w/recommendation to approve
- 5) Current Use Lien Releases, Jennie Lee Estates, Map 153/Lot 1; Map 152/Lot 28; Map 152/Lot 28-1, w/recommendation to approve
- 6) Veteran's Tax Credit (21 Highland St; 38 Flying Rock Rd; 26 St. Frances Pl; 9 Waubeeka Springs Rd; 9 Waubeeka Springs Rd; 11 Shoal Creek Rd); Disabled Veteran's Credit (38 Flying Rock Rd); Disabled Exemption (4 Bonnie Ln); Elderly Exemptions (27 Mobile Dr; 4 Hemlock St; 31 Krystal Dr; 2 Sunland Dr; 21 A St) w/recommendation to grant

B. Sewer/Water Items

Sewer Connection Violation, 51 Flying Rock Road

Chairman Massey said this is the first time an action of this type was recommended by the Sewer Utility Committee and he wanted it on public record that this action was being taken. It was because the individual connected to the sewer before they had a permit, even though they would told before they did it that they couldn't connect until they did go get their permits. The ordinance allows a fine up to \$10,000. The Town Engineer, who is also the Sewer Utility Consultant, felt that a \$500 fine was appropriate, which was agreed to by the Sewer Utility Committee.

Motion by Selectman MacLean, seconded by Selectman Maddox, to uphold the recommendation of Sewer Utility Committee and assess a fine of \$500, in accordance with Ordinance 77, Articles 10 & 11; that the Sewer Connection Permit not be issued until this fine and the Sewer Capital Assessment fee are paid in full; and that the applicant be liable for any additional inspection fees caused by this violation, carried 5-0.

C. Licenses and Permits

- 1) Request by the Hudson Lions Club to install a banner at Veteran's Memorial Bridge, forwarded to the Road Agent for coordination of placement.
- 2) Annual request by Hudson Youth Baseball to hold their Parade on April 8, starting at 11:00 a.m., from the Rec Center to Lions Field (with a rain date of April 14)

D. Acceptance of Minutes

Minutes of the Board of Selectmen's Meeting of February 14, 2006

Selectman MacLean referred to Page 13, "Start of Tape 3-B," saying there was a statement that was left out, which might have occurred when the tape was changed.

Motion by Selectman MacLean, seconded by Selectman Cole, to include the statement in the Minutes that the Library Trustees did present a plan to the Board of Selectmen last year to put a library at its present location carried 5-0.

E. Votes taken in Open Session after NPS on February 14, 2006

Selectman Maddox read aloud the following:

- 1) Nonpublic Session Minutes of February 14, 2006 were sealed.
- 2) Firefighter Jason Sliver was promoted to the position of acting Lieutenant, on a temporary basis, in the Fire Suppression Division of the Fire Department in order to fill a vacancy created by a medical leave absence, in accordance w/IAFF Local 3154 at a Lt./Paramedic Step II @ \$21.67 per hr.
- 3) Call Firefighter Jim Richardson was promoted to the position of acting Firefighter, on a temporary basis, in the Fire Suppression Division of the Fire Department in order to fill a vacancy created by a medical leave absence, in accordance w/IAFF Local 3154 at a probation level for a Firefighter/EMT-I at \$12.95 per hr.

Motion by Selectman Stewart, seconded by Selectman Maddox, to record the votes taken in open session after the Nonpublic

Session on February 14, 2006 carried 5-0.

F. Calendar

3/01 7:00 Planning Board @ Hudson Community Center
 3/03 Police Department/Red Cross Blood Drive @ Hudson Community Center
 3/06 6:30 School Board in BOS Meeting Room
 3/07 7:00 Candidates' Night @ Hudson Community Center
 3/08 7:00 Planning Board in CD Meeting Room
 3/09 6:30 Recreation Committee @ Rec Center
 3/09 7:00 Sewer Utility Committee in BOS Meeting Room
 3/13 7:00 Board of Selectmen in BOS Meeting Room
 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 CD Meeting Room
 3/15 6:00 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

Motion by Selectman Cole, seconded by Selectman Maddox, that effective at the next meeting of the Board of Selectmen, and all subsequent meetings, that there by a category entitled, "Votes taken in open session after Nonpublic Session on (date)" under Old Business, carried 5-0.

Green Meadow and Amendment #4 to Impacts of Golf Course Redevelopment, South Hudson Water Tank

Town Engineer Tom Sommers said at the Board's last meeting, a motion was made for the owner and developer of the Green Meadow project to work with him and other staff with respect to upsizing the water tank and to bring forward some of the other parcels that may be developed, and the impact that would have. Atty. Leonard, who represents the owner, prepared an agreement, which Mr. Sommers reviewed, along with the Town Administrator and Director of Community Development, and they made the changes they thought were appropriate. After discussions with Weston & Sampson, it was determined that the tank size would be increased by about 200,000--from 800,000 to one million gallons. However, the hydraulics of the distribution system will also be affected and there will be other improvements that will need to be made, which can't be defined right now. Any other development down there will have similar effects--increase of tank size and hydraulic improvements--increase the line size, looping, maybe even connecting to the Pennichuck system. Part of the Town hiring their own consultant is to review the potential for development and then for the Town to look at their hydraulic model and evaluate the options. However, tight now, they are trying to upsize a tank. The agreement does not talk about improvements to the entire system. In light of that, this agreement was developed. Improvements to the distribution system are specifically left out. On the property they're looking at now, there are some geographical limitations. The tank size can probably increase by a radius of five, six feet before they start dropping off down the hill substantially, which will provide an additional 350,000-400,000 gallons. With respect to what they are bringing forward now, with a drop-dead date of March 31, he needs flows that the consultant can evaluate, (Amendment #4), and in reviewing that, establish and confirm the Town's tank size, then look at that, with respect to other developments, and then look at what the size would be if they added Green Meadow development to it, develop a base plan and specs for the Town's side, then an add-alternate bid, if the size is increased. They, basically, have two bids going out in one package, and contractors will provide two numbers. One is the base bid, if the Town moves ahead by itself and, if Green Meadow participates, they would have to pay the difference. They would also have to pay for all the engineering fees (Amendment #4) and they further recognize in the agreement that they have 10 days in which to decide if they are going to take the risk of moving forward with the add-alternate for the larger size tank and paying for all the related costs.

(Start Tape 1B)

The Town will move ahead, without any obligation to anyone else. This agreement doesn't mean this is the end of someone else's obligation to tie into the Town's water system, nor does it give them to right to come back to the Town, asking for their money back if they don't use the extra capacity. It would be their risk. That is the intent and philosophy of the agreement.

Selectman Stewart read the following, from the agreement, into the record: 8) Green Meadow acknowledges that the Town must proceed as quickly as is practicable in order to accomplish construction of the water tank improvements. It is the sole responsibility of Green Meadow to provide information and make decisions in a manner consistent with the Town's schedule. In no event, and under no circumstances, will the Town delay its schedule to coordinate with Green Meadow. 9) Green Meadow expressly acknowledges that this agreement was made in order to enable cooperation regarding the planning of water tank improvements and to enable modifications, if appropriate. This document is entered into with the express understanding that it shall not constitute or imply, directly or indirectly, an approval of any plan or part of any plan which may be proposed for the Green Meadow site. Green Meadow acknowledges that the Town is entering into this agreement to enable better planning for water tank improvements and for no other reason. Green Meadow acknowledges that it must present a formal plan and go through the formal review process in front of all boards and regulatory agencies. 10) Nothing in this Memorandum of Agreement is intended to give Green Meadow or any other party a right to participate in the bid review process. The task of bid review is at the sole discretion of the Town.

Selectman MacLean referred to Item #6, part of the last sentence, “. . . the Town has no additional financial burden because of Green Meadow's

decision to participate and to assure that Green Meadow pays for all additional costs above and beyond the base bid." She assumed that if this goes out to 18 months, Green Meadow would pay the percentage increase, not just a set increase. Mr. Sommers said once the Town gets a bid, the contractor is obligated to hold that bid. Selectman MacLean referred to the hydraulics that Mr. Sommers had referred to earlier. She asked if that was based on the need for the water, not necessarily the size of the tank. They could have a 2 million tank, but if Green Meadow didn't go through, the hydraulics would be based on the need of 800,000 a day. Mr. Sommers said the hydraulics of the distribution line and the tank work together, except for the purpose of this agreement. The location of this tank is strategic. One of the reasons for the energy loss now is because of the length of the line from the source. There is a fair amount of volume in storage; it's just not located in the right place. That's why this tank is part of the element. It's not a gallon per gallon increase; it's the combination of the two items. Other development may or may not increase the tank substantially and this does not mean the project alleviates them from other improvements to the water system. Selectman MacLean asked if the Town increases the size of the tank, if they are also required to provide bigger pipes and better hydraulics. Mr. Sommers said no; that's why he wants to limit it to the tank. Otherwise, it is going to get too confusing. The Town isn't obligated for anything else.

Selectman Maddox asked if this was also taking fire needs into consideration. Mr. Sommers said yes. There is a certain amount of capacity that has already been included that would handle any fire in the South End. Chairman Massey said this agreement hasn't been reviewed by Town Counsel because it was only submitted last Thursday. He asked for the following motion:

Motion by Selectman Stewart, seconded by Selectman Maddox, to authorize the Water Utility liaison (Selectman Massey) and Town Administrator Steve Malizia to negotiate an agreement with Green Meadow Golf Club, Inc., for the purpose of increasing the size of the planned South End water tank; said agreement to be presented to the Board of Selectmen, no later than Thursday, March 23, 2006, 12:00 noon, for review and action at its meeting on Tuesday, March 28, 2006.

Chairman Massey said it would be incumbent upon Green Meadow Golf Club to craft an agreement in sufficient time to allow the Town Attorney to review it so that it can be before the Board on March 28. If members are in favor of moving forward with entertaining this idea, they would vote in favor of the motion. If someone was not in favor of entertaining participation by Green Meadow Golf Club, he or she would vote against the motion. Selectman MacLean asked for clarification of the motion. Chairman Massey said it would allow them to negotiate some additional language, which he thinks is needed in the document. For example, it is imperative to have in the document language that says the Town is solely responsible for the design, construction and on-going operation of the Water Utility, including any water tank that is built on the property. There needs to be a little more tightening up relative to the monies that would come, but the key issue is around the operation of the system, once the tank is built. There is no language about that in there now, so he wouldn't be willing to approve the agreement. It does have the basic elements, however, so if the Board entertains this option, they would go forward with it. If they don't think it's something they should do, then they should not vote for the motion.

Selectman Maddox questioned the date, since there is a deadline in the agreement for Green Meadow of March 31. He asked if those items would be done in parallel. Chairman Massey said yes; that would be their risk. At this point, given that it is already February 28, for the Town to be able to turn an agreement around, with a guarantee that the attorneys would review it before March 9, seemed impractical. They could put it on the agenda for March 14, but there needs to be some leeway to make sure the agreement is crafted in such a way that the Town is fully protected for the future. Selectman Maddox said if it's Green Meadow's risk, it didn't need to take that long. Selectman MacLean agreed. Everyone agrees that time is of the essence, with or without Green Meadow. They really want to get moving on this, so they should try to do it as early as possible.

Amendment by Selectman MacLean, seconded by Selectman Maddox, that if the March 13th meeting is attainable, they will do it, but if not, it will be on the 28th. If it is on the meeting of March 13, they need the documents by March 8 in order to get the information into the packets, carried 3-2. Selectmen Stewart and Cole voted in opposition.

Selectman Cole said for a project they've been told has a build-out of 15-20 years, he's not sure what this headlong race is predicated on. They're heading toward doing a half-ass job and he's not sure what brought them to this point. This is the third time this issue was before them. Did they all wake up six months ago and find out the plan they had to improve the water system, the tank and the looping project was no good and they needed a better plan? Did they all say let's get together and see if the Friel family will sell their property to someone who will come in and develop the 377 acres so the Town can get a bigger tank? No. What was wrong with the original plan? They are all acting like they woke up one morning and said they needed something if only someone would come in and offer it to them. They have a plan that the voters supported that the Town Engineer has been working his butt off on for six to nine months to get there. Chairman Massey cautioned Selectman Cole to stay on the motion.

Selectman Cole asked if the conceptual plan was going to be presented tomorrow night (to the Planning Board). Selectman Maddox said no, Green Meadow was not going to present a plan. Selectman Cole asked when they could expect to see a conceptual plan. Chairman Massey asked Atty. Leonard to yield to the question. Atty. Leonard said he'd be glad to comment. Ed Vydra was also invited to come forward. Atty. Leonard said he represents Green Meadow, the owners of the property. Mr. Vydra said he was Project Manager for W/S Development. Atty. Leonard said there is no specific date to expect a plan because the process of planning 375 acres is unpredictable and he cannot establish a date for the exact reasons they were present to discuss things. Ed is working hard to address each issue carefully and in an organized way. Water happens to be one of them.

Selectman Cole said before all of this plays out, the Board of Selectmen and all of the other boards in Town will become somewhat expert on hydraulics, geology, sewage flow, electricity, demographics, etc. He is concerned about a number of things, one being the law of unintended consequences. With the looping project, the pump station, maintaining certain levels of pressure—those unintended consequences—by looking at one item in isolation and not at the entire picture, he's afraid that the Town is going to miss something. Atty. Leonard said the purpose of the agreement is to take each item step by step. They agree with everything Tom Sommers said. There is nothing more than what they put on that piece of paper and agreed to, but they have to begin someplace, and it makes sense to plan. The Town does not need a new plan, except for the fact that the Town has learned new information, and they are simply offering to incorporate that new information into the Town's existing plan, at no cost and at no

delay for the Town. That's the purpose for the agreement. They fully understand this does not answer the water question; it only looks at the tank because it makes sense to look at that tank now because it's proposed to be constructed immediately.

Selectman Cole asked what other significant project might be coming up in the south end that would impact the water capacity in that area, such as the 200 acres behind St. Catherine's. Mr. Sommers said that was viable, but he didn't know what it would be. It is zoned residential. Selectman Cole said before Green Meadow came in, they knew that the other was a possibility, and he wondered how that figured into the tank they were currently planning on putting in there, the looping project and the pump station—the relationship of worst-casing that 200 plus acres with what they already have in the south end, excluding Green Meadows. Chairman Massey said that 800,000 gallon tank was sold to the voters the first and second time it came before them, solely on the basis of the existing water users. No additional consideration was given to any other property in the south end. Selectman Cole said that was his understanding, as well. They have a situation that if they put in the tank, the looping and the pumping station, that is simply to maintain the status quo with regard to the ability of the provision of services, both from public safety and as a utility. Mr. Sommers said that was his understanding, to maintain the status quo, with some background growth of about 10%. The tank was also placed there because of location. They have other tanks that, when put together, provide more capacity than they need. His understanding from the consultants was that the size of the tank wasn't going to be, as development occurred, every time you had a gallon of flow, you were going to need another gallon in that tank. They believe a lot of the improvements that are going to come down there have to do with distribution system improvements, some of which are in the Master Plan and others which may not be because in the Master Plan, Green Meadow certainly wasn't envisioned.

Selectman Cole asked how the water tank could be increased to a million gallons, because the tank can only be so high. Mr. Sommers said yes, this was part of the low pressure or main pressure system in the overall system. It has to work in concert with the two tanks on Marsh Road and Gordon Street. Elevation is critical because they are not going to put in a new pump system. It feeds by whatever flow is already in the system and stores it, once it is in that tank. The water column in this tank is 65 feet. The tank would be expanded horizontally up to a radius of five feet. Selectman Cole asked, if after they get a tank in there and after the looping project, they do the pumping and everything else, and development goes on in South Hudson and they are unable to maintain the proper fire suppression, where would Green Meadows get water? Mr. Vydra said they could find another location for a well, or even locate it on the Green Meadow site. From a pressure and capacity standpoint, with review of building and fire codes with the various staff members, they could also design booster pumps, or pumps for each individual building, predicated on the types of buildings—a place where there are a lot of people, versus a warehouse.

Selectman Cole referred to #2, which said Green Meadow shall pay directly to the Town the fee which its consulting engineers have required to determine the impact... and asked if that referred to Weston & Sampson, and Addendum #4. Mr. Sommers said that was correct. Selectman Cole asked who would maintain the tank, if they were looking at something larger than what was originally planned. He didn't realize how expensive it was to maintain a tank. Mr. Sommers said this would be a concrete tank, which has much less maintenance cost than a steel tank.

(Start Tape 2A)

Selectman Cole said if the Board is hell bent on going forward with this, they may want to consider the maintenance costs. Mr. Sommers said painting the steel tank, the Gordon Street tank, is very expensive. A steel tank is cheaper initially, but much more expensive in the long run because of the high maintenance costs. Selectman Cole referred to #9, "This document is entered into with the express understanding that it shall not constitute or imply, directly or indirectly..." and he knows that the document itself does not imply any quid pro quo, but there is no way that this document—or any like it—will not be inferred as having a quid pro quo out there. That's just human nature. It's not implied, but it is inferred. He's not against planning and he has no problem sharing information, but he still wonders why they need an agreement. Atty. Leonard said the purpose of the agreement is to have Green Meadow pay for the additional costs. Green Meadow is offering to pay for any change in the cost for the Board to consider the new information. The agreement is to assure the Board that the Town will not have any additional costs, either in the design or in the construction, and that Green Meadow will make those funds available without strings. That point of view is being conveyed orally and in writing because it was requested of them. There is no other reason for it.

Chairman Massey said he could add to that. The intention, and any such agreement would have to carry that, and as he reads it, he believes it is there, the cost of the design and bid package for the increased size tank would have to be paid up front, so that the Town would not be required to put up any money to Weston & Sampson because the money would be paid before they started the work. And the larger one, if you look at Item 7 in the agreement, the cost of the tank, if it's upsized, the last thing in the world the Town wants to have happen is that they put the bid out for the additional size tank and the monies aren't forthcoming. Item 7 says that, as they do with every other developer in Town, they would have to post a surety bond with the appropriate words, which guarantees that the money is there. That language is intended to ensure the Town is always going to have access to the money, and not caught having to do the work and the monies not there. They need the agreement to make sure those two items are absolutely, 100% guaranteed, that the Town bears no financial risk for entertaining a different size tank.

Selectman Cole said he began by saying they woke up one morning, decided everything they had thought what was a good idea was no longer a good idea and they needed someone to rescue them. He appreciated the explanations, but they don't need an agreement for a deal they don't need. What deal do they need? What benefit are they looking for that they need to be protected on? They have a perfectly good plan already. If Green Meadow wants to share information with the Town, that's fantastic and if the Town Engineer wants to share information with them, that's fantastic. But they don't need an agreement. They are trying to sell him a car he doesn't need. There is probably someone who has a plan before the Planning Board to build a deck off the side of his house, and that person has more credibility with the Town's land use agencies and committees than this project. That person has something concrete for them to look at. Green Meadow doesn't. He is being offered a car he doesn't need and, therefore, he can't and won't support the motion.

Selectman MacLean said they weren't approving the agreement tonight, they were saying they were going to double check the wording with the Town Attorney and accept it or not at the next meeting. Chairman Massey said that was correct, and there also was some other questions that need to be answered before he'd be willing to sign such an agreement, the very question that Selectman Cole raised—post-construction operation and

maintenance and any implied contractual obligations to that additional water. Tonight, they're not voting to accept an agreement, nor to accept anyone's participation. They are voting their belief that this is the right thing to go forward with and the Board would like to see an agreement that makes them feel that the Town's interests have been fully protected. That's the purpose of the review and the action at the next meeting—to review whatever agreement comes before the Board and to make a decision whether it's in the best interest of the Town to do it. It makes no sense to support the motion if they don't think it's the right thing to entertain the request by Green Meadow to participate.

Selectman Maddox said, as the Planning Board liaison, he didn't disagree that what they have works fine. The problem is they are not going to stay in a static position. W/S Development may go away, but Green Meadow is still there. Someone will make them an offer that will go through. The plan they are putting forward as the base bid is nothing more than adequate water for the south end today, with some minimal background growth; it's shortsighted. Something is going to be developed on Green Meadow. To not take advantage of this opportunity is shortsighted. Green Meadow is giving the Board a 'new car' and there are going to be some costs involved. But someone using that 300,000 worth of water is paying for it through their water fees. They need to keep moving this forward. At the end, maybe the agreement isn't something they can agree to, but it doesn't make sense to stop it here. Chairman Massey said before they take the vote, he wanted to make sure they knew they were not voting to approve an agreement with Green Meadow Golf Club; they were agreeing to a motion that would allow them to come back to the Board on either the 13th or the 28th, depending on the timing, with an agreement that the Board could then either accept or reject.

Motion by Selectman Stewart, seconded by Selectman Maddox, to authorize the Water Utility liaison (Selectman Massey) and Town Administrator Steve Malizia to negotiate an agreement with Green Meadow Golf Club, Inc., for the purpose of increasing the size of the planned South End water tank; said agreement to be presented to the Board of Selectmen, no later than Thursday, March 23, 2006, 12:00noon, for review and action at its meeting on Tuesday, March 28, 2006, amended that if the March 13th meeting is attainable, they will do it, but if not, it will be on the 28th. If it is on the meeting of March 13, they need the documents by March 8 in order to get the information into the packets, carried 4-1 by roll call vote
Selectman Cole voted in opposition.

Mr. Sommers asked if the Board would hold off on voting on Amendment #4 to the Weston & Sampson contract. Chairman Massey said that was correct because it would be premature to award a contract if they're not going to do the agreement.

8. NEW BUSINESS

A. NRPC Emergency Management Plan

Chairman Massey said, for the record, this was actually the Town of Hudson's Emergency Management Plan. He then recognized Fire Chief Shawn Murray, who said he was seeking authorization from the Board to terminate the contract between the Town and NRPC for the update of Hudson's Emergency Management Plan. In August 2003, the Town entered into an agreement with NRPC to update the aforementioned plan to satisfy the NH Emergency Operations Plan standards. To date, they have paid NRPC \$2,790 as part of the agreement of 50% payment upon commencement; To date, 50% of the project has been completed. The update is complicated by the fact that they now have to incorporate Federal guidelines and structure that will require specialized assistance that is beyond the scope of NRPC. This includes development of emergency support functions, integration of the National Incident Management System and additional annexes. Without the additional Federal requirements, the Town would not be eligible to apply for Federal funds and grants. The reason for terminating the contract is not because of any failure of NRPC, but the need for specialized assistance to assure the plan meets the Federal guidelines. NRPC completed a comprehensive hazard mitigation plan for the Town in 2004, and they did an excellent job. The Executive Director of NRPC is aware of this and was agreeable to this action. If the Board approves terminating the contract with NRPC, the recommendation is to contract with LMK of Bow, NH to complete the plan, which would meet all of the necessary requirements.

Motion by Selectman Stewart, seconded by Selectman MacLean, to terminate the August 12, 2003 contract with NRPC to update the Town of Hudson Emergency Management Plan, based on the need for further specialized assistance in updating the plan, as recommended by the Fire Chief, carried 5-0.

Motion by Selectman MacLean, seconded by Selectman Cole, to contract with LMK Emergency Planning Associates of Bow, NH to complete the update and revision of the Town of Hudson Emergency Management Plan at a cost of \$3,500, with \$2,790 from the balance of the previous contract, plus an additional \$710 from 5770-399, the Emergency Management budget line carried 5-0

Motion by Selectman Cole, seconded by Selectman Stewart, for a recess at 8:41 p.m. carried 5-0. Meeting resumed at 8:52 p.m.

B. South Hudson Water Tank, Property Line Survey Services, Amendment #3

Town Engineer Tom Sommers said originally, this was going to be an easement, but has turned into a purchase, so a boundary survey plan is required. Weston & Sampson will contract this out. Mr. Sommers recommended the low bid.

Motion by Selectman Maddox, seconded by Selectman Cole, to approve Amendment #3, South Hudson Water Tank, Property Line Survey Services, in the amount of \$12,500 as recommended by the Town Engineer carried 5-0.

C. Lowell Road Sidewalk Project, Winn Avenue to Birch Street (STP-TE-X-5229 (013))

Town Engineer Tom Sommers said a fair amount of planning went into this project prior to his time. The cost estimate for this was developed in the late 90's. Since then, there have been big changes in the cost of doing business. The Town has to go before the Transportation Enhancement Advisory Committee (TEAC), which meets on March 20 to approve any changes. The project originally was \$144,700. The new estimate is \$360,000. Part of that is because they added a signalized crosswalk. The Town's portion is 20%, or \$72,000. A previous Board approved moving forward, but that never went up DOT because they were still in the design phase. He and the

Director of Community Development looked at various sources of funding. Originally, this was tagged for the 3A corridor. They found a little over \$50,000 in the sidewalk account. Mr. Sullivan thought the sidewalk money should be used first, which would mean they would take only \$21,680 from the corridor account. The Board already approved 60; they are asking for an additional 12, and they are changing what pocket they are taking the money from. If the Board approves this, the Chairman would have to sign the letter, which details why the increases are necessary, which will go before the committee, presented by Mr. Sullivan and Mr. Sommers on March 20. It also goes through alternative considerations, which is a requirement by the committee, such as dropping parts of the project, decreasing elements, etc. They did review those with the consultant, but came to the conclusion that the project, as designed, is appropriate and necessary.

Selectman Cole said this was starting to remind him of the Highland to McDonald's project. He asked if this project would be completed before another increase. Mr. Sommers said they hoped to go to bid in April, with construction finished this summer. Selectman Cole asked if the rationale for this project still exists. Mr. Sommers said yes, given all of the development along Lowell Road and in that area. Because people try to cross Lowell Road in various locations, he thinks the project is even more important today, and the sidewalk will connect to an existing sidewalk. The original plan called for sidewalks on both sides. Selectman Cole said going north on 3A, Birch to Winn connects, but Birch south on 3A, they're not connecting to anything. Mr. Sommers said there is going to be a crosswalk at Birch, which allows a landing in front of T-Bone's, then people can walk to the residential areas, which are less traveled than Lowell Road. Selectman Cole asked if there was any plan to extend to the south. Mr. Sommers believed so, and probably more funds would be put into the sidewalk account for various projects down there. Many years ago, there were plans for a sidewalk at the end of Pelham Road when that area was being looked at for being signalized, and that project is coming back to the forefront, with the developments that are occurring along Lowell Road. Selectman Cole said, starting in the Wason Road area working north, sidewalks are starting to become part of various projects that are going in. While the gap is still there, it is starting to lessen. In a perfect world, that gap would be closed. Mr. Sommers said the intent is to close those gaps, to have a walking corridor on Lowell Road that is safe. Selectman Maddox said the Planning Board is cognizant of the concerns raised by Selectman Cole. There is a development that is going in where this project is going to end south, so they've asked for an easement to put in a sidewalk at some point. The Planning Board hasn't forgotten about the importance of sidewalks. They are about to put some more money in for a development that is not going to have sidewalks, but they are going to make a contribution to the general sidewalk fund.

Motion by Selectman Cole, seconded by Selectman MacLean, to authorize the Chairman to sign the commitment letter, an agreement with NHDOT, to approve additional funding for the aforementioned project in the amount of \$360,000, an increase of \$215,300, with the Town's 20% share of \$72,000 an increase of \$42,600 over the original commitment of \$29,400 and that \$50,319.39 be taken from the sidewalk account and \$21,680.63 from the Route 3A corridor account), as recommended by the Director of Community Development and Town Engineer, carried 5-0.

(Start Tape 2B)

D. Public Hearing/Acceptance of a \$13,456.15 Grant to Police Department to purchase 15 Taser Weapon Systems

Chief Gendron said this was the Street Sweeper grant, the last grant that US Attorney Tom Colantuono approved. There are no more funds, so they were fortunate to have gotten this in when they did. These funds, along with what is in the budget, will fully equip the police officers with tasers. Selectman Maddox asked how many tasers they already had and how many sworn officers there were. Chief Gendron said these 15 will bring it to 45; they have 45 sworn officers. They had agreed to buy five every year, until they accomplished their goal of outfitting every officer with them. This will take care of that, so they won't be asking for any new ones. They will be needing replacements some time in the future. Chairman Massey clarified that Street Sweeper is a crime prevention program, not a piece of equipment for the Highway Dept. He opened the public hearing at 9:08 p.m. and asked if anyone in the audience wished to speak on this item. There being no one, he closed the hearing.

Motion by Selectman Stewart, seconded by Selectman Cole, to accept the Federal Street Sweeper grant through the US Attorney's Office in the amount of \$13,456.15 and to authorize the Chief of Police to purchase 15 Taser Weapon Systems, and to seek reimbursement, carried 5-0.

E. Acceptance of a \$225 donation to the Recreation Department in memory of Stephen Pennellatore

Town Administrator Steve Malizia said this is a donation the Rec Director asked the Board to accept.

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

F. Review of Town Code of Hudson, NH, Chapters 1-65

Selectman MacLean said she had volunteered to collate everyone's input, but no one submitted any. She had eight that she felt should be looked at. Selectman Cole assumed that the Chairman would probably have one or two.

Motion by Selectman Cole, seconded by Selectman Stewart, that the proposed changes be sent to a public hearing, date to be determined.

Chairman Massey said before he accepts that motion, it was his intention to get a consensus of whether they even want to send this to a public hearing. Selectman Cole said the changes have to go to two public hearings. Chairman Massey said it was his intention that if they looked at each one of these, they had a consensus on whether or not they should be sent to a public hearing. Selectman Cole said his intention was to keep them from spending another hour or two having a philosophical conversation about changing happy to glad. If they move all of these to a public hearing venue, they can follow up with a workshop, at which time the Board can then take each one individually, based on the merits of each one and on the input from the public hearing, as opposed to doing it this evening. He's not prepared to talk to something that someone else may have, but he'd like to move them all to a public hearing venue, as a package, to get that out of the way then, possibly at a workshop to address all of them more effectively. Chairman Massey said, on that basis, he would

accept the motion.

Selectman Maddox wondered what was going to public hearing. Selectman Cole said he had no idea, as he was not the originator nor the advocate of this exercise. Selectman Maddox thought it should go to a workshop first, so they could have the philosophical discussion. They couldn't have a public hearing on something they didn't have. Selectman Cole said he'd amend his motion to have the workshop prior to the public hearing. He was just suggesting tonight was not the time for this discussion. He didn't know what they would discuss in a workshop, other than they agree or disagree with each submission. The public notice would indicate that the Town is proposing changes to the Code. It's up to the individual resident, if they are that interested, to come into Town Hall to find out what the Code currently says, what impact that change would have, so when they come to the public hearing, they would have a position. That's part of the responsibility of being a resident and a citizen. Selectman Maddox said the Board hasn't told them what they were going to change. Selectman Cole said they had Selectman MacLean's list. Selectman MacLean said those were just questions. Selectman Cole said then those should be put aside for a workshop discussion; not now. Those that have a definitive change is what he is talking about—happy to glad, A to B, etc. Selectman Maddox said the don't have something to put in front of someone, so he won't vote for this. The discussion should be at a workshop. How could any resident know what, "donation report to Finance Director," means?

Chairman Massey said he wasn't going to support the motion because he wasn't prepared to ask the citizens to look at a change in a Town Code if the Board doesn't think it is necessary. A lot of them are questions of interpretation, not whether or not the Code should be changed. Item #3 is a question of whether the current practice is working and, if it's not, if it should be changed. If they are going to do any of this, it would be more appropriate that they either look at the ones they have no interest in tonight, or to refer them all the a workshop. Selectman MacLean said if they went down the list, they would have been done by now because they were simple things, but she was fine with referring these to a workshop. Selectman Cole changed his motion to send this to a workshop, prior to sending them to a public hearing.

Vote on the motion that the proposed changes be sent to a workshop, prior to a public hearing, at a to be determined, carried 4-1. Selectman Massey voted in opposition.

Selectman MacLean volunteered to coordinate everyone's input again. Chairman Massey said there was an additional comment he had to Selectman MacLean's list that she didn't pick up, which was Chapter 64-2. Unfortunately, Sister-Mary-Parse-Your-Sentences-Accurately-or-I'm-going-to-slap-Your-Hand taught him too well and he thinks there may be some need to clarify the language in 64-2 because indemnification, as he reads it, could be construed in at least three different ways. He didn't see anything in there that would hold harmless the Town employee or Town official, if they did something that didn't rise to the level of an accident or negligence, so he asked the Board's consensus to refer this to the Town Attorney for a clear interpretation of what they are trying to accomplish because it's his understanding that a Town employee and a Town official should be held harmless under this statute, this Code, as long as they were operating in good faith—and the other issues that are there, the negligence or an injury. There are too many permutations on the way the language is constructed for him to see that they are adequately covering the major cases that they would want to cover the employees for. Selectman MacLean said she could add that to her list to talk about at their workshop. Chairman Massey said he'd prefer to have this done immediately, if he gets a consensus, because the way it is written leaves a lot in his mind to be desired, in terms of clarity of thought. Selectman Maddox thought they should put this in with the rest of them because if they are going to go to a public hearing, and there would probably be other legal questions. Chairman Massey said this would be ready for the workshop, in terms of the clarity from the Attorney. If they preferred to wait until the workshop, that was fine, but he thinks it needs vetting now. Selectman Cole said to send it to the attorney so they can move on. Chairman Massey added that all of his tabs were exactly the same as Selectman MacLean, with that one exception. He said they would pick a date to schedule the workshop.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

- A. **Bill Cole** said he overcame the temptation to rush up to the table earlier this evening during Public Input for a couple of reasons: one, he not too good at changing hats and he wanted to make sure his remarks came from a chair occupied by a Selectman. He read the following into the record: "The Letters To The Editor section of the 24 February edition of the Hudson-Litchfield News contained a offering from a Mr. Howard Dilworth. It would appear that Mr. Dilworth was, and I can only assume continues to be, upset with the Combined Dispatch Warrant Article that will be before the voters for their consideration on March 14th. This Warrant Article, when approved, will significantly enhance the town's ability to provide for the public's safety and well being. All of which begs the question, "Why then is Mr. Dilworth so apparently upset?" I have no idea, nor do I think it's important, especially to Mr. Dilworth. History has demonstrated, repeatedly, that if you address Mr. Dilworth's "Objection A" he will not hesitate to use the remainder of the alphabet. Mr. Dilworth constantly requests reports, data, statistics, records, files, summaries, overviews, backup spreadsheets, justification, cost analysis, price analysis--you name it, he wants it. The list is seemingly endless. In reality though, Mr. Dilworth has little or no interest in what he is asking for--just the process of requesting has become, at least in his mind, his contribution to the Town. And, because of his pre-conceived positions, he can predictably be expected to make decisions that completely ignore any facts that have been made available to him. But, I digress. Having taken his perfunctory shot at two of his favorite and long-standing targets--the Board of Selectmen and the town's public safety and law enforcement departments--Mr. Dilworth then gets around to the object of his true letter-writing affection--Selectman Stewart. For some strange reason, Mr. Dilworth thought it would be a wonderful idea to accuse another elected official of masterminding a diabolical plot to systematically destroy the town's credit rating, and to go so far as to make public, alleged portions of a conversation he had with her concerning the funding for the Combined Dispatch project. Tsk, tsk, Mr. Dilworth. Is that any way to treat a lady? Given that we are in the final stages of elections for seats on the Board of Selectmen, and given that Selectman Stewart is running for re-election to the seat she presently holds on the Board, one cannot help but wonder just what, or more probably, who has motivated Mr. Dilworth to

publicly question Selectman Stewart's motives in the fulfillment of her responsibilities as a Selectman. Mr. Dilworth also thought it would be clever to refer to Selectmen Stewart as the "patron saint" of Combined Dispatch. While I'm sure that Mr. Dilworth felt he was being funny, I'm equally certain that he should, whenever possible, avoid trying to be funny; he's just not very good at it. Now, I don't know if, in the face of disingenuous opposition, Selectman Stewart's commitment and consistent support for Combined Dispatch qualifies her for "Patron Saint" status or not, but I have no doubt whatsoever that Mr. Dilworth's recent letter to the HLN confirms his position as one of Hudson's leading poster boys for hypocrisy, intellectual insipidness and boorish behavior."

- B. **Kathleen MacLean** said last week, the Cable Committee toured Londonderry's access center and got information on how they run their operation--very informative and very nice.

YJim McIntosh, HCTV Facilitator, was at the Rec Department's Cabin Fever Day, taking pictures of all the activities. She hoped everyone would tune in to see all that wonderful activity.

- C. **Rick Maddox** had several Library announcements. "What to know how to get children in your life off to a great start in the world of reading?" The GFWC Hudson Community Club will celebrate Read Across America week, an evening featuring Marie Harris, the NH Poet Laureate from 1999-2004. The event is free and open to the public. It will be held at the Nottingham West Elementary School Library at 7:30 on Monday, March 6. The author of G is for Granite, a New Hampshire Alphabet and Primary Numbers, a New Hampshire numbers book will help her audience find ways of connecting children and books. Those who wish to, may bring a new or gently-used elementary level book to share with a NH school student, who will appreciate the gift of a book of their own. Refreshments will be served. If you are unable to participate in the evening, but wish to donate books, contact Phyllis Appler at papplr@earthlink.net.

YHe is still working through the packet from Community Development that was given to the Board at their last meeting relative to CO's. He'd like the code enforcement spreadsheet and zoning determinations provided twice a month instead of once, in order to give more time to address them, not waiting 30 days to cycle through; he'd like a more manageable pace so the zoning determination, that if someone does have an objection, to be able to turn those over.

Motion by Selectman Maddox, seconded by Selectman Stewart, that the Community Development Director provide to the ZBA and Planning Board Chairmen, an update of the code enforcement spreadsheet and the zoning determinations twice per month for the scheduled Planning Board meetings on the second and fourth Wednesdays of the month.

Selectman Maddox said if they get it at the end of the month, almost 30 days can go by by the time they get to see it, and you only have 30 days to appeal that. He's trying to make it so it's not as rushed. Selectman Cole asked what the trigger was that started the 30-day clock. Selectman Maddox said from the time it is sent to the two Chairmen. If something was received the day after a meeting, they may go three weeks before the next meeting. Selectman Cole asked what the trigger was that couldn't be controlled by the Selectmen. Selectman Maddox said if it goes to the Planning Board Chairman, it then goes into the packet, but you don't get that packet until just before the next meeting. Sometimes there is almost a four week gap before it gets to the members. Selectman Cole said earlier this evening they had a discussion with regard to the finite number of staff and finite amount of time. He wondered if this was something that was putting an additional time requirement on individuals that could be better used to solve some of the problems they discussed earlier. Selectman Maddox said there are times when they only have two days from the time they see it to the time they have to decide whether or not to appeal. He was trying to give them more time so they are not putting people in that hurry-up mode, to give them more time to do some research on it before they make that appeal. Selectman Cole thought there must be some way the Board could control that 30-day trigger. Selectman Maddox said maybe change the ordinance. Selectman MacLean said this wasn't doing twice as much work, but doing half as much work twice. Selectman Maddox said they will probably have to do 10% more work to collate and send them out. Chairman Massey said he wasn't going to support the motion because they already discussed earlier that staff has got some problems. Before they try and create any more work burden on them, they really need to understand what the current work force is doing. Selectman MacLean said perhaps she could just talk to Sean to ask his opinion on whether or not that would take way too much time.

Vote: Motion failed, 2-3. Selectmen Maddox and Stewart voted in favor.

YTomorrow night's Planning Board meeting is at the Community Center, not at Town Hall. Green Meadow will be discussed, but not a plan. A PowerPoint presentation is expected.

(Start Tape 3A)

YMotion by Selectman Maddox, seconded by Selectman MacLean, that the Board suggest to the Community Development Department that they change the date of filing for a Planning Board meeting from the present Thursday at noontime to 10:00 a.m. Tuesday, the week prior to the meeting, to give staff more time to review the documents before they are put into the Planning Board packet, effective with the March 22 Planning Board meeting.

Based on his experience during the time he was on the Planning Board, and knowing the volume of material they have to look at, receiving that package Thursday afternoon or Friday morning is really a hard time. If they are going to get it two days earlier—or if filings have to be two days earlier, it means they are going to be looking at that material that much earlier and they are going to have a lot more time to really look at the data, so he supported the motion. Selectman MacLean said the motion wasn't so the Planning Board gets their packet sooner, but that the packets will be more vetted by staff. Selectman Maddox thought it would be a combination of the both. He hoped they would get the packets out at least a day earlier so people get them for Friday night, rather than Saturday, especially when people go away during the summer. It's tough when they come home on Monday to a 2" thick packet. By 10:00 on Tuesday, hopefully,

staff will have another day and a half, then send it out on Thursday, rather than Friday. That gives the Planning Board an extra day. He was trying to accomplish two things.

Mr. Malizia thought that should be announced at the next Planning Board meeting so people who submit regularly don't get blindsided. Selectman Maddox said that would definitely be discussed tomorrow.

Vote: Motion carried 5-0.

D. Terry Stewart wished Selectman Cole an early Happy Birthday for March 10.

The first annual Cabin Fever Day was held at the Community Center. When she stopped in at about 2:00, there were about 200 kids there—bounce houses to face painting to toss games. A big highlight was the cake walk. The registration fee was only \$3 per child. It was great to see the Community Center being used to full capacity. All the parents thought it was great and it was cheaper than taking the kids to a movie.

She commended Chief Gendron for appearing on Fox News last week, addressing the issue of MA's lack of notification or registering registered felons in the national data base. She hoped Fox stays on top of it because it's an issue that affects all of New England and beyond.

Tickets are now on sale for the next Comedy Night at the Town Clerk's Office or at the Rec Center. The show is scheduled for March 18 at the Community Center. Doors open at 7:30 and the show begins at 9:00. Lineup is MYQ Caplan, Danny Miller and featuring Comedy Center's Stephen Bijour. It always fills up and everyone has a good time.

She is sorry that she will miss Candidates' Night, but she has an engagement in Ft. Myers with the Red Sox.

This week, everyone received a copy of an ordinance from Dover, telling registered sex offenders they cannot live near schools, day cares, etc, a radius of 2,500 feet. This ordinance, which she hopes is adopted in Hudson, is to acknowledge that sex offenders are at a higher risk of re-offending, that the Town has a compelling interest to protect the health, safety and welfare of its children by restricting access to areas where there are a high concentration of children. Currently, the House of Representatives and Senate are working on the Child Protection Act. Selectman MacLean questioned the part that said a sex offender can't go to a school at all unless they had permission from the school. She wondered if that included if they had a child at the school, they still needed to get permission. Selectman Stewart said yes. Chief Gendron said there is a provision in the Child Protection Act that will allow towns to do this. Hudson is ahead of the curve.

Motion by Selectman Stewart, seconded by Selectman Cole, to sent it to the Town Attorney before the Board has a public hearing carried 5-0.

E. Ken Massey – On Saturday, April 8, at 6:00 p.m. at St. John the Evangelist Church, there will be an Eagle Scout Court of Honor ceremony for Matthew Emanuelson, son of Jeff and Dianne Emanuelson, with a light buffet. If any Board member would like to attend, RSVP by March 31 to 889-0263 or by e-mail to scoutmaster252@adelphia.net.

Motion by Selectman Stewart, seconded by Selectman Maddox, to approve the work on Route 102 from Highland to McDonald's, March 6 through March 17, 2006, between the hours of 7:00 p.m. and 3:00 a.m. for the NH DOT's road widening project in that area, carried 5-0.

It's always great to have your work validated. For several years, the voters were asked to approve a part-time water clerk, with the clear understanding that the volume of work would justify that additional clerk, and it would allow the existing water clerk to do some of the work that she was unable to do because of the sheer volume of managing the billing cycle and getting the bills out. He was happy to relate to the Board and to the Town that, since February 1, the water utility has recovered \$23,667.05 in delinquent accounts from 13 accounts. Chris Curtin, the Water Utility Clerk, is in the process of recovering some additional accounts. They are working diligently to get them current.

The Police Department is having a bloodmobile on Friday, March 3 from 1:00 to 7:00 p.m. at the Hudson Community Center. To everyone out in viewer land, the Police do a magnificent job. It's one of the, if not the highest blood donor program in the State--and the food can't be beat. Please come out and help them meet the goal this year of at least 200.

10. NONPUBLIC SESSION

Motion by Selectman MacLean, seconded by Selectman Stewart, to enter Nonpublic Session pursuant to 91-A:3 II (b) The hiring of any person as a public employee, carried 5-0 by roll call vote.

Chairman Massey announced that this was the end of the taped session. Any votes taken in open session will be announced at the Board's next meeting.

Nonpublic Session was entered into at 9:53 p.m. and was terminated at 9:57 p.m.

Open Session Motion:

Motion by Selectman Stewart, seconded by Selectman Cole, to hire Robert Adamson as a fulltime Telecommunications Technician in the Police Department, effective March 5, 2006 at \$14.87 per hour, in accordance with Police Union Local 3657, carried 5-0.

11. ADJOURNMENT

Motion by Selectman Stewart, seconded by Selectman Cole, to adjourn at 10:00 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