

HUDSON, NH BOARD OF SELECTMEN
Minutes of the January 10, 2006 Meeting

1. **CALL TO ORDER** by Chairman Kenneth Massey at 7:00 p.m. in the Selectmen's Office at Town Hall, Hudson, NH

2. **PLEDGE OF ALLEGIANCE** was led by Selectman William 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; Shawn Murray, Fire Chief; Sean Sullivan, Director of Community Development; Ben Nadeau; Shawn N. Jasper; Ray Rowell; Leo Bernard; Joe MacLean

4. **PUBLIC INPUT**

Representative Shawn Jasper, 83 Old Derry Road, spoke on the southern corridor of the circumferential highway, which the Board addressed at their last meeting, saying at that time, he fired off an e-mail to the Selectmen because what is going on in that process really piqued his interest and concerned him. While the State may never build the circumferential highway, they don't know what will happen in the future. They all know that the pressures on the traffic in Town are going to increase, certainly if the Green Meadow property is developed in the manner in which it is proposed—or anything near there. They could have total gridlock in Town. It would be very shortsighted of them to divest themselves of that land. He heard the Chairman said (at the last meeting) that he was told by State officials that if they are going to have the southern bridge, that land was going to be sold. He has had conversations with the Commissioner, as has the rest of the delegation. She knows that most of them are not in favor of selling that land and this was prior to knowing what was going on with Green Meadow. He spoke with the Commissioner this week and she assured Mr. Jasper that she did not say that the bridge wouldn't get built if that land was not sold. In fact, that is a policy decision and Commissioners do not make policy decisions, such as that. The Legislature and the Governor makes policy decisions. Mr. Jasper said Selectman Massey was at the meeting, so he knows who actually did say that. Mr. Jasper said he won't say what he has heard because he was not at the meeting, but he hoped that Chairman Massey would because Mr. Jasper thinks it is important for the voters and everyone in Town to be able to put pressure upon those officials who feel that selling the right of way to build the bridge is a good tradeoff. The delegation is meeting with the Commissioner on the 19th to get preliminary numbers on the value of the land and the cost of the bridge. He suspects that it will be a relatively small percentage versus the cost to put in the bridge and the connecting road. Even if it were close to the amount required to pay for the bridge, all of Hudson citizens would be better off to pay for that bridge through other means, which would probably be a toll. He can't imagine that anyone who has to travel down 102 and across through Nashua and back to Merrimack would not be happy to be able to pay a mere \$1 toll to go one way across that bridge. Certainly, the time, the gasoline and the wear and tear would far exceed the cost of \$1. Most of them recognize that once they sell that corridor, there will be no hope to get a connecting road across and they will be stuck trying to come through the middle of Town. While it may be very difficult for the State to build a State road through there, it would be much less difficult for the Town to build a Town road because the Town doesn't have to go through the same permitting process. Then, at some later date if the need should arise, it would be much easier for the State to overlay a State road over a Town road that was already laid out. He didn't know what it would cost, or if it would even be feasible, but until such time as they have all the facts laid out on the table in terms of the development, traffic plans, etc., they have to come together as a community. They may disagree on other things, but they need to come together as a community and make sure that corridor is preserved until they know exactly what their options are and whether they can do it. He urged the Board to take a strong stand in support of maintaining that right of way. He suggested they do so by writing a letter to Gov. Lynch, Executive Councilor Wicczorek, Senator Clegg, Commissioner Murray and all of the members of the Legislative Delegation, and to urge the Planning Board to do the same, and to urge all of the citizens of the Town to send all of their Representatives and Senator e-mails, phone calls, letters, putting pressure on all of the elected officials to keep that right of way. He may differ with the Board on a number of things, but with all the pressures they face, this is going to happen more quickly than anything else will happen with Green Meadow. That property could be gone long before the first shovel is put in the ground at Green Meadow, if they don't react now and put pressure on the proper places. He pleaded with the Board to take strong and decisive action.

5. **NOMINATIONS & APPOINTMENTS**

Recreation Committee (2 members, terms to be determined)

Motion by Selectman MacLean, seconded by Selectman Cole, to set the two new term membership expirations as December 31, 2007 and December 31, 2008, carried 5-0.

Motion by Selectman MacLean, seconded by Selectman Cole, to appoint Rupert Cote to the membership term to expire on December 31, 2008, carried 5-0.

Motion by Selectman MacLean, seconded by Selectman Cole, to declare a vacancy on the Water Utility Committee, as recommended by the committee at their meeting of 12/21/05, and advertise for the position carried 5-0. (The justification for this vacancy was that a member had not attended many consecutive meetings, nor did he respond to a letter sent to him. Therefore, his seat was declared vacant by the committee.)

6. **CONSENT ITEMS**

Selectman Maddox removed Item D from the consent items to take it up separately.

Motion by Selectman MacLean, seconded by Selectman Cole, to accept the Consent Items, A, B, C & E, as noted or appropriate, carried 5-0.

A. **Assessing Items**

- 1) 2006 Abatement, 13 Charbonneau St, w/recommendation to approve.
- 2) 2005 Supplemental Tax Bill, Verizon, Inc., w/recommendation to approve.
- 3) Current Use Lien Release, Hudson Meadows Condo, KLN Construction, w/recommendation to approve.
- 4) 2004 Superior Court Tax Appeal, 36 Executive Drive, w/recommendation to approve.
- 5) 2005 Abatement, 5 Parker Drive, w/recommendation to approve.
- 6) 2005 Abatement, 11 Barbara Lane, w/recommendation to approve
- 7) 2005 Abatement, 7 Iris Path, w/recommendation to approve.
- 8) Disabled Veteran's Tax Credit, 21 Bowes Circle, w/recommendation to grant.
- 9) Veterans' Tax Credits (26 Amanda Drive, 27 Amanda Drive, 7 Maureen Lane, 160 Central Street, 9A Farnum Court, 21 Stoney Lane, 23A Lund Drive), w/recommendation to grant.

B. **Sewer/Water Items**

Sewer Abatement Applications, S-06-03 (SUTL-06-09, 49 Derry St, #2201; SUTL-06-10, 8 Nevens Street, #4339; SUTL-06-11, 37 Lund Drive, #4309; SUTL-06-12, 49 Bear Path Lane, #5626; SUTL-06-13, 6 Clifton Street, #1527; SUTL-06-14, 10 Scenic Lane, #6464) w/recommendation to grant.

C. **Acceptance of Minutes**

Minutes of the Selectmen's Meeting of December 27, 2005.

D. **Vote taken at previous Meeting, following Nonpublic Session**

The multiyear contract between the Town of Hudson and the Hudson Firefighters' Union, IAFF Local 3154, was forwarded to the ballot, with the Selectmen's recommendation. (Maddox/MacLean, 4-0. Cole absent.)

Selectman Maddox thought this item should be under Old Business so the votes could be announced. Chairman Massey said his intention was to read the vote aloud, that at their last meeting, the Board made a decision to allow the camera operators to leave when the Board entered Nonpublic Session. Upon entering open session, any votes taken would be put on the following agenda. He will take Selectman Maddox' request under advisement.

E. **Calendar**

Jan 11 7:00 Budget Committee Public Hearing @ Community Center
Jan 11 7:00 Planning Board in CD Meeting Room
Jan 11 7:00 Seniors in BOS Meeting Room
Jan 12 7:00 Budget Committee Public Hearing @ Community Center
Jan 12 7:00 Sewer Utility Committee in BOS Meeting Room
Jan 12 6:30 Recreation Committee @ Rec Center
Jan 16 Town Hall Closed for MLK Day
Jan 17 7:00 Budget Committee in BOS Meeting Room/Public Hearing (if necessary)
Jan 17 7:00 Cable Utility Committee in CD Meeting Room
Jan 18 5:00 Water Utility Committee in CD Meeting Room
Jan 18 6:00 Library Trustees in BOS Meeting Room
Jan 19 7:30 Budget Committee in BOS Meeting Room
Jan 23 7:00 Conservation Commission in CD Meeting Room
Jan 23 6:30 School Board in BOS Meeting Room
Jan 24 7:00 BOS in BOS Meeting Room
Jan 25 Filing Period Opens
Jan 25 9:00 a.m. Joint Loss Management Meeting in CD Meeting Room

Jan 25 7:00 Planning Board in CD Meeting Room
Jan 26 7:00 Open Space Meeting in BOS Meeting Room
Jan 30 Last day to post the warrant
Jan 31 7:00 BOS Workshop in BOS Meeting Room
Feb 1 7:00 Planning Board in CD Meeting Room
Feb 3 Filing period closes
Feb 4 9:00 Annual Town Meeting @ Community Center
Feb 8 7:00 Planning Board in CD Meeting Room
Feb 9 7:00 Sewer Utility in BOS Meeting Room
Feb 11 School District Annual Meeting @ Community Center

7. **OLD BUSINESS**

A. **Land dedicated to the Library** (from December 27, 2005)

Motion by Selectman Maddox, seconded by Selectman MacLean, to allow the Library Trustees, for the next five years, the use of the land on Route 102 at Alvirne and Hills Garrison School, for use for the planning of a new Town library.

Selectman Maddox said the Library Trustees are trying to put together a plan and, although it may not be a perfect one, what they need to have is a parcel of land to start from. If the Trustees do not have a piece of land to design the library to—contours, traffic, etc.—then they are going to be going in a perpetual circle. The Board could give them the land, with qualifiers, for design purposes so the Town can have a library.

Amendment by Selectman Stewart, seconded by Selectman MacLean, to amend five years to two years, beginning on February 1, 2006 and ending October 15, 2007.

Selectman Stewart thought a two-year time frame was reasonable because this has been kicking around for a long time. It doesn't take two years to design a plan. Selectman MacLean asked if the Board could extend the time, after two years passed. Chairman Massey said the Board of Selectmen is the governing body that determines whether or not a piece of land can be sold, and it can only be sold by action of the Board of Selectmen. Mr. Malizia clarified that it takes a vote of the legislative body to sell land, if it is not tax-deeded. To actually sell it, it would have to go to Town Meeting. Selectman MacLean asked, if the motion passed, if the land would not be sold for at least two years. Chairman Massey said that was correct. Selectman MacLean wanted to amend the amendment, but the Chairman didn't allow it. Selectman Stewart said the intent was that the clock starts ticking February 1, 2006, so on February 1, 2008, there should be some viable plan. Chairman Massey said if they were going to do it on that basis, the plan would have to be before the warrant articles, around October 2007. Selectman Stewart changed her motion to reflect that. Selectman MacLean opposed the amendment, as did Selectman Maddox who asked what they were going to do with that land, as there is nothing looming on the horizon for that location and 18 months is too short.

Vote on the amendment failed, 2-3. Selectmen Stewart and Cole voted in favor.

Selectman Cole said the only thing worse than no plan is a bad plan, and the library presented a bad plan. The Town has already given the library land on Ferry Street and asked why that wasn't a viable option. Selectman Maddox said the Library Trustees realized that to build at their current location, it will be very expensive. There are problems with asbestos and how to interface with the existing building. It is not financially feasible to expand at that location. Their last estimate was around \$8 million, so, they looked at other possibilities--and the parcel at Alvirne was available. The Ferry Street properties would revert back to the Town. They want to look at a new parcel, with a scaled back version for \$3½ million.

Selectman Cole said the \$3½ million was only for basic construction. He asked if the Trustees have informed the Town they are no longer interested in the Ferry Street properties. Selectman Maddox said the Trustees wouldn't give up the properties they already have if they don't know where they are going to go. Selectman Cole said it was

the Trustees who came in over the years, asking to acquire that land for a library. He then read from the minutes of December 27, at which time Selectman Maddox suggested sending a letter to the State, asking if the Town could locate the library at Benson's. He asked if Selectman Maddox was still pursuing that site. Selectman Maddox said that was his personal preference, but the chances of that happening are slim to none. The Library Trustees have asked for the Alvirne land, so he is supporting them and thought the Board should, too.

Selectman Cole said the Trustees have a place to work with; the current location. The Board could also follow through with a request to the State to see if there is any interest with regard to a portion of the property for a library. To give five years' rights for the property at Alvirne is like the nose of a camel in a tent. Once the nose gets in, the rest of the camel is going to follow. If the Board gives up that land, they will be hard pressed to get it back. It will be a public relations disaster. Selectman MacLean said it already is. Whatever the Trustees try to do with their properties, the Board or the voters shoot it down. The Alvirne land seems to be a reasonable alternative. Selectman Cole does not feel obligated to support something he feels is bad for the Town, no matter how many plans are submitted.

Vote on the main motion failed, 2-3. Selectmen Maddox and MacLean voted in favor.

(Start Tape 1-B)

B. Policy regarding Social Security Numbers (from December 27, 2005)

Town Administrator Steve Malizia said he was asked to put together a policy regarding Social Security numbers relative to disclosure in public documents. This will be distributed to the Town departments, then will go in the general policy binder, not in the Code or Personnel Policies.

Motion by Selectman Maddox, seconded by Selectman MacLean, to change the word "may" in the last line to "shall."

He said this will put more teeth in the policy. The disciplinary action could be anything from a letter to termination, but it is saying they *will* take action. Chairman Massey asked if disciplinary action would be expected if the disclosure was inadvertent, through no fault of the individual. Selectman Maddox said yes, because someone allowed it to happen. Selectman Cole asked if discipline would still result, even after an investigation. Selectman Maddox said yes, even if it is a letter in the file.

Vote on the amendment failed, 2-3. Selectmen Maddox and MacLean voted in favor.

Motion by Selectman Stewart, seconded by Selectman Cole, to approve the policy, as drafted by Town Administrator Steve Malizia carried 5-0. Selectmen MacLean and Maddox voted for this because they felt that something was better than nothing.

Chairman Massey said, as a result of this policy and a couple others that have come before the Board in the last month or so relative to comments made about an individual who drafted many of the policies long ago and far away, he has asked the Town Administrator to place on the workshop agenda a plan for the Board to review, over 12 months, the three sets of policies and procedures in place—the Town Code, the Personnel Policies and the (Town of Hudson) policies in the binder upstairs. The plan would indicate who is responsible for what, when and where.

C. James Way Bridge Chronology (from December 13, 2005)

Selectman Maddox said this document was only a third of what he had expected. Besides the chronological history of the bridge project, he expected an explanation of why the first CO was issued and what was going to be done afterwards. Selectman Cole suggested Mr. Sullivan could be make a verbal explanation tonight. Selectman Maddox asked why CO's were issued and what policy the Town has taken relative to issuing CO's in that location.

Mr. Sullivan said one CO was issued back in July for the first house on the left as you cross the wetland, after he and the Fire Chief met with the developer and his contractor, who was hired to build the bridge. They spent about an hour on site. The developer and the construction agent committed to 14' minimum of access that would remain available at all times during construction

of the bridge. He and Fire Chief had no reason not to believe that commitment, so they agreed, and subsequently, the final inspection was done on the structure, and they issued the CO. About a month or two after that, additional boring work was done by a geo-tech firm—their second trip out to the site. On their first trip, they didn't anticipate as much muck as there actually was. That presented a problem with the way the footings were placed for the abutment. All of that delayed the process. Once it was determined that the muck would have to be removed in order for any further work on the abutment to take place, including the concrete footings, the 14' was not a realistic number in terms of a passable area of gravel to access James Way. That became an issue for the Town. The inspectors were out there on a daily basis and they refrained from issuing any more CO's, as a result. The Town advised the developer and individual home contractors on November 9, 2005, in writing, that no further CO's would be issued, after consulting with the Town Administrator and Town Attorney that they would have a moratorium on CO's at this development. They held steadfast to that throughout November and work continued on the bridge into December. Abutments were placed; concrete was poured; Jersey barriers were placed on one side of the road; access was improved and the contractor was much more aware of the Town's primary concern for safe access. Once the abutments were cured, in mid-to-late December, the Town Engineer told Mr. Sullivan that it didn't make any sense from a scientific, engineering standpoint to continue with bridge construction at this time; and Mr. Sullivan had agreed, since frost had set in. At that time, they advised the contractor of that determination and to create a temporary access to James Way. They used recycled, ground up pavement and compacted it, as best as they could. Community Development staff went out to inspect it, meeting with the Fire Department on-site, and both departments agreed that the ability to pass and re-pass over that span of wetland was doable. Mr. Sullivan met with the Town Administrator and Chairman Massey and the Board's input was sought throughout the process. Ultimately, with the concurrence of the Board Chairman, the decision was to issue the CO's on December 21, which was done.

As for the second part of Selectmen Maddox' question--the plan, bridge construction won't commence until spring. When folks come in, when their final inspection has been done and the Building Inspector is satisfied from a structural standpoint, they will sign a document that was promulgated by the Town Attorney that is tailored to the individuals moving into the house, including the name of the original development of the subdivision and if there is a home builder separate from those folks, they are also included in the text of the document. Each of those different individuals have to come in to Town Hall to sign in front of a notary upstairs. A staff member then brings that document to the Registry of Deeds for recording. The document says if the access to James Way, as it exists today, needs to be closed for any purpose, they (the Town?) will give notice to those folks and the temporary occupancy permits that were issued will be vacated and they will have to leave the premises until such time as construction of the bridge is complete and inspected by the Town Engineer and signed off by the Community Development Department. There are six families that have moved into that subdivision, exclusive of the first. Every other potential homeowner has signed the agreement, as has the developer and builder and recorded at the Registry and, subsequently, issued a temporary Certificate of Occupancy. Come springtime, Mr. Sullivan anticipates the developer will be out there, working heartily, to get the bridge construction completed, efficiently, in accordance with Town regulations and good engineering practice. He will hold their feet to the fire. A bond is in place, in case something should go wrong, but he didn't anticipate that would happen. The consultant, the Engineer, the Civil Engineer and Inspector are on top of the design of the bridge, the time frame for construction, etc. The contractor has advised the Town that he will make an effort, during construction and placement of the bridge, to provide temporary access across the wetland area, so access will be available at all times during the placement of the bridge. Mr. Sullivan said that could happen, but he is not counting on that, nor is he advising anyone else to count on it. When construction commences on the bridge in the spring for James Way, he believes the roadway will be closed for a period of time, which cannot be defined at this time. Prior to that, due notice will be given to the individuals who have moved into the structures at James Way, advising them that their temporary CO has been revoked and they must vacate the premises until such time as the bridge is installed, inspected and approved by the Town of Hudson. Each individual who has moved into a structure there, exclusive of the first, but he is a gentleman, so it is expected he will cooperate, is well aware that the Town is very serious and they mean business. There is every intention to protect public safety, and they will honor the agreement they were willing to sign.

Selectman Maddox said this project has such a life; it has gone on and on and on. He wondered how Mr. Sullivan now knows that the Town isn't going to have a problem, when the time comes to put in the bridge all of the houses that are continuing to be built, will comply. Right now, anyone

will sign anything to get out of the hotel and into their homes, from what the Board heard. Informing the people they should vacate should be a function of the developer, not the Town. The amount of time the Town has spent getting this bridge built is a waste for the Town. He wondered why the Town was having to go through all of this when it's not the Town's fault. Mr. Sullivan said if the responsibility is the Town's, he knows it will get done—when, how and why. The burden is certainly not the Town's, but in this case, to accept the burden, it allows the Town to maintain control and not rely on someone else—much like they did when the Police had to assist in removing two families who, unknowingly, moved into homes on James Way without CO's. The Town sent the notice; the people vacated immediately. That's the philosophy he is using.

Selectman Maddox knows that once a developer puts up a bond, he can build the road, so he has the right to have building permits. On the Planning Board, it was always his understanding that you could not get a CO until you had the road to binder course. Mr. Sullivan said that is the preferred alternative, but that's not the law. Most often, that's what they find because home builders don't want people moving in on a gravel road. It's a nightmare for everybody.

Chairman Massey asked if there wasn't any reason why the Planning Board could not require, as a stipulation on the site plan, that CO's would not be issued until the binder course is done. Mr. Sullivan thought the Planning Board can have a role in building permits, but he's not sure if they can regulate CO's. That might be a worthwhile question to ask the Town Attorney. Chairman Massey said given all they have gone through and the conversations they have had, that would be worthwhile to explore, whether or not the Planning Board would have the ability to put a stipulation about the binder on the site plan. He asked Mr. Sullivan to check with the Town Attorney. He then asked if that was where Selectman Maddox was headed.

Selectman Maddox said no, he was heading toward a new bridge. As the Town of Hudson keeps getting developed, and the land gets more and more difficult, they are going to see more of these wetlands crossings, by whatever methods. Using CO's as a method of getting things done is very, very difficult because you end up with people coming in that have been impacted, by no actions of their own. The Town should look into whether the Planning Board can say that no road can be built until the crossing of whatever it is has been completed, so that bridge is in place, prior to the start of the construction of the first home. That's unfortunate, but that's the only way. Waiting for CO's becomes problematic because people come in with all their problems, such as Lockwood Place and James Way. That's being pro-active and finding out what they can do and tying that in to the stipulations. They should not be able to get a building permit rather than a CO. That gets it done up front, rather than waiting and hoping that some board will say they can have them. Chairman Massey said the Planning Department would have to look into that to see if it can be done.

Selectman Maddox hoped there was some process they are going to look at so they don't fall into something like this again and end up in this terrible place. He didn't understand how someone did not expect swamp land when building a bridge on Musquash Swamp. The Town ends up as the bad guys, who are trying to enforce the regulations. They need to set up parameters in advance rather than holding the CO's at the end. CO's are the wrong way to go.

Selectman Cole asked what the letter was that was issued on November 9. Mr. Sullivan said Order to Vacate, Cease and Desist use of the premises. Selectman Cole said the chronology before them didn't include the thousands of phone calls, etc. The subdivision was approved in February 2002 and that plan included a culvert to go over the wetlands and not until June 2004 did the Town receive a design that showed a bridge, as opposed to a culvert. A final design was not approved to the satisfaction of CLD until July 13, 2005. What happened in those two and a half years? The Planning Board is very good at going around, seeing violations, etc., to the plans it had approved. It appears that didn't happen with this one. He asked Selectman Maddox if the Planning Board has a set of checks and balances when they approve a plan, if they check to see how it is coming along, two or three years later, or if they direct staff to do anything. He didn't understand why there was such a long and tortuous road with this, putting aside what they got into at the end of the year. He wondered how they got to that point.

Selectman Maddox said the plan was approved in February 2002, but the developer didn't come in with a plan to fund the bond until March 03. Chairman Massey interjected that he was on the Planning Board at that time and there was a court case on this. It wasn't until after March 2003 that the final site plan was approved by the Planning Board and it had to do with the fact that the zoning had changed from one acre to two acres and the applicant successfully won the appeal that he was

grand fathered on the one acre issue. Part of that decision was they removed one of the lots from the property, from 22 to 21. Subsequent to that, the actual engineering work began on the project.

(Start Tape 2-A)

Chairman Massey said he didn't join the Planning Board until March 2003 and he distinctly remembers sitting in on that particular case, and hoped that answered Selectman Cole's question. Selectman Cole said that's not really what he was interested in. He asked Selectman Maddox if the Planning Board has some sort of mechanism to check up on how something that was approved was being adhered to, that a developer was following the rules. When there is a concern that wetlands exemptions have not been followed, the Conservation Commission members physically go out to check. Selectman Maddox said the Planning Board does not do that. When the Planning Board has issues, they are referred back to staff, and staff gets back with an answer—which sometimes bothers the Community Development Director—but there is mechanism in place that reports on the plans that were approved. When the Planning Board approves something, it is then a function of staff to follow up. They need a CO checklist that, as the process goes through, to include Planning Board and Conservation items, so they don't let those things fall off. A very busy staff is trying to make sure everything is done. Selectman Cole asked if Selectman Maddox would consider bringing this up to the Planning Board as a workshop item. He didn't want to lay more work on a staff that is already short-handed. He didn't want three or four years to go by before they address another disaster, if there is one. This is a lessons-learned classic.

Selectman Maddox said he's asked the Town Engineer to come to the Planning Board to educate them, maybe at the February workshop, so they can understand what staff's issues are. The Planning Board, with the best of intentions, include stipulations that may be difficult, or could be done in a better manner. If they reviewed some of the issues over the past year, perhaps there would be a way to correct them. A quarterly report would be excellent, but he didn't see it happening. Selectman Cole asked Mr. Sullivan if he and or John Cashell could work with Selectman Maddox to set up a time for the Engineer to attend a workshop in either February or March. Mr. Sullivan said sure. He, John Cashell and Tom Sommers have talked about that very issue and Tom has drafted a letter, in which he raised a few issues that he thinks would be helpful--more administrative in nature, though, than rules of the Planning Board. It is John's responsibility, ultimately, to go to the Planning Board with a recommendation to add things to a plan.

Chairman Massey said one of the things he thought should be added to that discussion is either before the building permit or certificate of occupancy, whichever applies, that there be some mechanism for insuring that all stipulations on the site plan have been met. Mr. Sullivan said they do that now. John Cashell is charged with that responsibility, whether it is a site plan or subdivision plan. Anything that has been through the Planning Board, and approved by them, John reviews before his signature appears on either the building permit checklist and/or the CO checklist.

Selectman Maddox said there needs to be some sort of policy and a procedure for the CO's as the final line of defense. He'd like to see the Planning Board require the developer bold on the plans anything that was not typical, so it would stand out to the Town Engineer or Town Planner. Things like the \$75,000 at Bradford Woods that just kind of slipped through until someone asked the question. The project is completed, and now they are trying to get the \$75,000 as opposed to paying the \$75,000 before issuing permit one. Mr. Sullivan said the bond on that would not have been released until that issue had been resolved, but Selectman Maddox makes a good point. The condition on that particular plan was prior to the issuance of the 21st CO, and there were 32 lots in that subdivision. His department is way too busy to be able to track when the issuance of the 21st CO happened. If it happened in January or February, it's a simple fix, but given the computer system and method in place, and to have been issued in the heart of the building season, it's very difficult to track. His advice to the Planning Board would be, "No building permit shall be issued until--whatever that number is—paid in full," and that makes it very clear to the applicant at the time of plan approval and it makes it clear to the Town Planner, who would review that condition of approval. That's the lesson learned in that instance and he encouraged the Board to take that approach.

Chairman Massey said one of the things taken on as an action item by Mr. Sullivan was to determine whether or not there was any software out there that would provide some of these capabilities. Mr. Sullivan said he has met with the Finance Director and they are working on that and will have a report for the Board in the near future.

8. **NEW BUSINESS**

A. **House Bill 1320, Code Enforcement Fines**

Sean Sullivan, Director of Community Development, distributed a handout relative to this issue. He said that Representative David Buhlman, a former Hudson resident, currently lives in Litchfield, has sponsored HB-1320 which seeks to amend RSA 676:17, 1, Fines and Penalties. This attempts to delete the phrase from the existing law, "not to exceed," so it shall read, "shall be subject to a civil penalty ~~not to exceed~~ \$275 for the first offense and \$550 for subsequent offenses for each day that such violation is found to continue, after the conviction date or after the date on which the violator receives written notice from the municipality where the violator is in violation, whichever is earlier." This would give communities throughout the State the ability to say we mean business when it comes to zoning violations. Too often, when the Code Enforcement Officer advises someone they are in violation of zoning, he is ignored and the violator does not comply with the directive. Five years ago when Mr. Sullivan was hired, he made a promise to the Board that his approach would be reasonable. He respects the fact that the Town has business owners who own property and deserve to be treated fairly by their government. From a code enforcement standpoint, they make every effort to do just that. When they exhaust all reasonable efforts, then they use the method allowed by law, and that is to proceed to Superior Court with a complaint. There have been three specific instances that the Town has sought fines and reimbursements for legal fees. When the judicial system analyses and holds the hearings to come to some sort of determination and ultimate decision, the amount awarded to the Town, based on the amount that the court has the authority to award, is miniscule. In the first case, the total award would have been \$313,500; the court awarded \$8,000 or about 3% of the total. The value of the fine is not a deterrent. At one time, someone was in violation of the wetland buffer setback. The Code Enforcement Officer went up to the backhoe driver and told him he was in violation and to stop work immediately. The backhoe driver's answer was, "You do what you have to do." They did just that. Three years later, they won the case, but the award was only \$8,000. If the property owner that the \$275 day fine from the day he is notified in writing, then \$550 for each subsequent day, with each subsequent day being considered a separate violation, would certainly serve as a deterrent. With the judicial system, the phrase "not to exceed" allows judges to make a discretionary determination on the amount of the award. An insignificant \$8,000 fine over a three year blatant disregard of zoning is not a deterrent. Nor was it a deterrent to another person who built a structure without a building permit, within the setbacks. The Town made every effort to work with him, as did the previous Zoning Administrator. This person kept doing exactly what he wanted to do. The total fine, had it been imposed, would have been \$430,250. If the property owner knew that the Town could get that award, he probably would have thought twice before he built his structure without a permit in the setback. The Town was eventually awarded only \$9,300. At a third address, which took a series of turns and twists, but if awarded the total fine would have been \$463,775; all the Town was awarded was \$5,740. In all cases, staff time, legal fees, etc., exceed the amount of the awards. Rep. Buhlman is a former member of the Hudson ZBA and he and Mr. Sullivan worked on this together. They felt that if the "not to exceed" term was eliminated, it would require the judicial branch of government to impose the fees, as presented. This would be very helpful in the Town's code enforcement efforts and he recommended that the Board approve the request.

Selectman Maddox referred to his Libertarian leanings and asked if the \$275 and \$550 differentiated between trash in someone's front yard and filling in wetlands with hazardous materials. Mr. Sullivan said there was no differentiation, but prudence is used. They would try to resolve the trash issue on a municipal level. Selectman Maddox said there should be a procedure with this, the criteria, so it's not arbitrary. This seems a little draconian. If there aren't levels of violation, no judge will enforce this. Filling in wetlands with hazardous materials is one thing; junk cars in your front yard is less egregious. Mr. Malizia said the Town determines what cases they want to pursue, based on the severity of the offense. It's then up to the judge to assess the fine. Mr. Sullivan said that was correct. They inform the offending party they are subject to a fine, but Code Enforcement does not actually levy the fine. When they get to court, they say what they think the fine should be, the it's up to the judge.

Selectman Cole asked if, in the first example, what the \$8,000 was based on. Mr. Sullivan said the combination of a fine per day and the amount of legal dollars spent to prosecute the case. Chairman Massey said he recalled some comment several years ago about using the same process as when you get a traffic citation. The citation says you have to appear in court and the fine is already on it, and that's what you pay, unless you refute it. You can plead nolo and just pay the fine. He asked if that process could be used. Mr. Sullivan said that is different. What Chairman Massey was talking about was a local fine system, which the Town does not have in place. He could look into it to see if the RSA's allow them to do that, but he didn't know of any.

Selectman Maddox asked how the new form the Code Enforcement Officer is utilizing is going. Mr. Sullivan said very well, that it was included in the monthly report. Selectman Maddox said the problem with that was it was only for a month. He wanted to see the status of the ones that haven't been resolved in the last two months. He wanted to see a copy of the ones that were still open so they could see what was still outstanding. He wanted to see what was past 30 days. This month, they start at 46 which means they don't see the other 45 and final resolution. The ones going across the chart to the second and third letters are the problem ones, or the ones going to court, so this Board or the Planning Board doesn't know the ones that are still pending. That was a concern of the Planning Board when they were asking questions. He wanted to get the entire list so they know where things are in the process. Chairman Massey asked Mr. Sullivan if that was something he could look into. Mr. Sullivan said they would look at it and let him know.

Motion by Selectman Cole, seconded by Selectman Stewart, to send a letter of support to the Municipal and County Government Committee on the House of Representatives, in support of House Bill 1320, which proposes to require civil fines imposed on people who violate zoning carried 5-0.

B. Pictometry Aerial Image Program

Town Administrator Steve Malizia said Nashua recently received a grant to do pictometry—airial images—shots from airplanes overhead of structures in Hillsborough County. This type of pictometry is three dimensional. The Town's GIS is a flat image, basically straight down. This type of pictometry would allow primarily the Town's safety departments to see oblique angles of structures in Town, which would allow them to pre-plan for emergencies in a more efficient manner. For the \$6,000 the Town would be able to see more defined images, including doors, windows, structures that are attached to buildings, trees, all kinds of topographical items. Nashua . Nashua anticipated getting more money for the grant; it fell a bit short. They have invited the Town to participate by paying \$6,372 for a two-year site license. This data can be overlaid on the Town's GIS data for two years. The Town's Assessor and public safety officials have recommended participating, as it would enhance the Town's GIS and pre-planning for emergency situations. The money would come from the tax map update account that has a balance of more than \$19,000.

Selectman Maddox referred to the picture that was provided in the packet and said he couldn't make heads or tails out of that. He asked what happened after two years, if this was integrated into the system. Mr. Malizia said the Town would no longer be licensed, so that layer would be taken off the system. Chairman Massey said he could give a quasi-technical answer. When you create these kinds of data bases, you create attributes to different items in the data base and if you want to single out a single attribute, you can pull that out of the data base and that attribute is highlighted. In this case, it's a three-dimensional. That attribute could be deleted and you'd no longer see that value, but all the other values in the database would be there. Selectman Maddox said he had a program at home from Google for \$29.00 that he can see fairly well. He couldn't see what they were buying to justify the cost. He couldn't see spending this kind of money just to know where doors are. The pictures in their packet were pretty grainy.

Mr. Malizia believed they would be doing a demo soon, if they wanted to go over there. He's not in the professional safety business—the Chief of Police and the Fire Chief are. It could be used for SWAT deployment or the Fire Department could use this information. Selectman Maddox said the image of City Hall is probably what he could get with his Google program. The low level is much better, but he has trouble justifying this expenditure. Selectman MacLean asked if the tax map update account is what they would be using to help fund the GIS. Mr. Malizia said yes, to help fund it, along with other sources.

Selectman Cole said he was very sorry Nashua got stiffed in the grant, but this was just something that was passed on by staff. He is sure the data is good, but he didn't see anything of great value. Google is an excellent vehicle and doesn't cost anywhere near \$6,300. He could not support this expenditure.

(Start Tape 2-B)

Chairman Massey said with that consensus, they would pass on this. Selectman Maddox said maybe he'd change his mind after seeing the demo. Chairman Massey asked the Town Administrator to arrange for that. Mr. Malizia doubted Nashua was going to trot over her just to get a special demo. It probably requires the actual license. They'd have to go to them. Selectman Stewart said if they want the Town to buy into it, they will make the trip across the bridge. Mr.

Malizia said Nashua doesn't care if the Town does or doesn't; they are just saying if the Town wants the higher level pictometry, they can buy into it. Chairman Massey said they'd pass for the time being.

Motion by Selectman Stewart, seconded by Selectman MacLean, for a break at 8:30 p.m. carried 5-0.
Meeting resumed at 8:37.

C. **Digital Radio Project with the Hudson School District**

Fire Chief Shawn Murray said he wanted to present a quick update on the digital radio project they are currently undergoing and a potential cooperative effort between the Town and School District. Relative to the digital radio project, they are currently installing the hardware. Over the past few weeks, they have been involved with the installation of digital telephone lines and the digital hardware at the Lenny Smith Central Fire Station in the communications room. They are moving forward with it. They were notified by the State that one of the other pieces they are still missing, the acquisition of portable digital radios as part of the State Interoperability grant, should be forthcoming within the next month. As part of the digital radio project, since the Alvirne HS area is known for its low radio reception, they approached Randy Bell and asked permission to locate two radio antennas there. One of them will become part of their digital radio receiver and the other one will be staged up there for the School District's use or for future police use. The School Board approved use of the back center portion of the school, which doesn't really show from Route 102. As the overall radio interoperability for the Town, the State of NH replaced all of their analog mobile radios with new digital radios. That left the Fire Department with a cache of analog radios. During emergency management drills with the School District in 2002 and 2003, they identified a need to improve communications. They could not talk directly with the schools in a major emergency, so he proposed a plan, in conjunction with the School District, by taking the analog radios that are currently in storage and place one in each of the schools, along with a power supply, the base unit, and FCC regulations allow them to put as many of those radios as they want, as long as they keep it on a mobile antenna. This will significantly improve their ability to communicate directly with the schools during an emergency. The document that was in the Board's packet breaks out the frequencies they will use and how they will implement this plan. Part of this also having the ability to talk directly to the school buses, should they ever encounter an emergency on the road or need them for evacuation purposes. This will greatly benefit both the Fire and Police Departments and the School District. Once they get the digital portable radios to replace their current analog radios, they'd like to give some of the surplus analog portable radios to the various schools. Currently, they are using two or three different models of portable radios, which means they can't always talk to them. This current plan should carry them for three or four years, and in that interim, they would assist the School District with obtaining either Homeland Security grants or Radio Interoperability grants. The future goal would be to switch them over to a digital radio system, also. This plan was presented to the School Board and they approved it. He informed them, however, that before they can move forward with this, it would have to be approved by the Board of Selectmen.

Selectman Cole asked if there was a plan to train the school personnel so they can interface with the equipment and procedures, etc. Chief Murray said yes, they would develop standard operating guidelines and provide training on the command system, response to emergencies and how to use the radios properly.

Selectman Maddox said there wasn't a dollar sign in this presentation. He asked if the School Department was willing to accept all costs. Chief Murray said there are very limited costs, just the 12-volt power supply which would power the radios. They already have the radios, the antennas and the other equipment. Selectman Maddox asked if they had to be programmed to a non-fire frequency. Chief Murray said that was correct, and they have the programming software to be able to do that for them. Selectman Maddox asked if the School Department was willing to accept all of the cost and responsibility for them. Chief Murray said yes. His intention was that the radios would be on loan to them. The Town won't turn the ownership, but would maintain that responsibility. Selectman Maddox asked if the Fire Department would maintain an analog license for the frequencies. Chief Murray said yes, but the School District has their own licenses for the frequencies they operate on. Selectman Maddox said this would end up being a radio in someone's office that, when a crisis strikes, who knows where it will be. They'd be better off selling all of these and buying two more digital radios and hand them to somebody at an incident rather than trying to figure out who has it, where it is and the logistics of supporting all of this. He does not think the cost justifies the effort, so he is not in favor of this.

Motion by Selectman MacLean, seconded by Selectman Cole, to authorize the Fire Chief to utilize surplus analog mobile and portable radios to improve the emergency radio communications capability between the Hudson School District and the Hudson Fire and Police Departments.

Selectman Cole asked Chief Murray what the cost would be that Selectman Maddox referred to. Chief Murray said the only cost he could foresee was the 12-volt power supply unit and they may already have some in surplus. The School Department would have to purchase three or four more. The radios are all surplus equipment. At the Town auction last year, there were crates and boxes full of surplus radio equipment, older radio equipment, pagers, etc., and they couldn't get rid of it. He ended up giving it to a salvage yard. There is little monetary value in the analog radios. Selectman Cole again referred to something Selectman Maddox had brought up relative to maintaining the radio license. Chief Murray said they have FCC analog licenses that they have to maintain, anyway. There is a renewal fee every 15 years. There is a minimal financial exposure. Selectman Cole said back in 2003 when the Town did a Town-wide emergency reaction scenario, one of the key issues that came up over and over was the lack of effective communication between the Town and the School. He didn't see any reason not to proceed with this, especially since the School is so enthusiastically supportive of this program and with the bay station for the antenna at Alvirne.

Selectman Stewart asked who was taking on the cost of the roofing contractor that was needed to run the cable. Chief Murray said they have subsequently learned that the roof will not have to be penetrated; they will be able to go through the wooden siding of the cupola instead. Selectman Stewart said the letter had stated that the cupola could not be used because of the HVAC system. Chief Murray said the antenna won't be mounted on the cupola, but the wire cable can go there. That's how they will get into the attic where the radio equipment will be.

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

D. Town-owned Land, 16 Tolles Street, Map 173/Lot 017

Town Administrator Steve Malizia said the Town owns a parcel of land approximately a quarter of an acre near 16 Tolles Street, which is off of Webster Street, down by the river. Recently, someone bought 4, 6, 8, 10 11, 14, 15 & 17 Tolles Street, with the intention of turning it into some sort of housing. Right now, it's a mish-mash of mixed use, including junk trailers and small, seat-of-the-pants businesses. The buyer of the other lots inquired about the availability of this property. Anything that the Town wishes to dispose of must have been tax deeded, and this property was in 1994. If the Selectmen wishes to entertain disposing of this property, he recommended that it be done via auction, as was done with the two water utility properties in Derry and Londonderry. They used Jim St. Jean Auctioneers, and they got a very nice price for the Town. He reviewed this request with the department heads to determine if there was any need for this property. It is a very steep parcel, so it cannot be used as an access point for emergency personnel. He would recommend, however, to maintain an easement for a river walk, which has been discussed, going from one end of Town to the other. He didn't know if the abutting property owner would be the successful bidder, but they are motivated to pick up this parcel, as they can consolidate it with their other parcels and, possibly, turning it into some sort of housing, going through the appropriate site plan approval process. It has also been identified on the other lots that there has been some contamination through the years, which this property owner is aware of. They are working to mitigate whatever might have been on their property. It is not inconceivable to think that some of that contamination might have migrated on to the Town-owned property. He asked if the Board was interested in initiating the process of disposing of it.

Selectman Cole asked if the easement would be on a flat piece of the property. Mr. Malizia said quite possibly at the top of the property. Selectman Cole asked what was on the other lots. Mr. Malizia said it was basically commercial—storage trailers, junk cars, a sandblasting operation, etc. The owner is looking to clean up the property and possibly turn it into a housing development. It is zoned T-R. There two paper streets there, Bank Street and Tolles Street, that doesn't go all the way in, but they exist on paper. Selectman Cole asked if there was a minimum bid on the water utility properties. Mr. Malizia said no, but they did very well. There was language, however, that said the Town has the right to refuse and all offers, for any reason.

Selectman MacLean said the owner would probably develop his land, even without the Town's

parcel. Mr. Malizia said the two people that bought this land formed an entity, with the intention of developing residential housing, more in conformity with the neighborhood. It is presently just a big junk yard. Selectman MacLean thought the Conservation Commission should look at this parcel because, if it is on the river, and this ends up being a lovely neighborhood, it could be developed into something nice, other than just the river walk. Riverfront property is hard to get, so she thought they should hold on to it until the other property is developed. Mr. Malizia said the owners have expressed an interest in developing that area, but they may just be landlords. Selectman MacLean thought they should hold on to it.

Selectman Maddox agreed with Selectman MacLean. This parcel is a way-station between the river walk, from wherever to wherever it may end up. When they sold the land in Londonderry, it made sense, but this doesn't. This is land on the Merrimack, and selling it would not be advantageous to the Town, so he didn't want to remove it from the inventory. Selectman MacLean hoped the Board would vote to keep the land. Selectman Cole said they didn't even know this existed until it almost ceased to exist.

Motion by Selectman Cole, seconded by Selectman Maddox, to authorize the Town Administrator to initiate the process to put the Town owned property located at Map 173/Lot 017 out to auction, failed, 2-3. Selectmen Massey and Cole were in favor.

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

A. **Terry Stewart** didn't have any remarks.

B. **Bill Cole**

1) **Kudos to the Fire Department**—An outstanding performance in the wee hours by the Fire Department at the structure fire on Lund Drive, off 111. Public kudos and thanks for the Fire Department, especially Capt. Tice and members of Group 2 for an outstanding job in a dangerous profession. They were able to minimize the structural damage. Thank God there were no injuries, either to occupants or members of the Fire Department.

2) **Update on Economic Development Conference** – The Steering Group, at their meeting on January 4, proceeded with their plans for the Economic Development Conference in May. They are in the process of sending a formal invitation to Gov. Lynch, not only to attend, but to address the participants. The letter will hopefully be signed by the President of the Chamber and the Chairman of the Board of Selectmen. Sean Sullivan informally invited the Governor via a web site that allows for that.

The committee recently experienced a positive unintended consequence. Jane Parkin, the Director of Web Palmer Voc Tech Center, is a member of the committee and is pursuing a number of action items, in preparation and support of the conference. She came across bank statements from Sovereign Bank, referencing an account for the Hudson Economic Development Corporation—the old HEDCorp. The account has been dormant for the last seven or eight years, but the money is still there, in the area of \$17,000. He's not sure how the money got into the account, but thought that probably during the 90's, the Selectman made contributions, as part of the annual budget in Community Grants. HEDCorp is no longer viable, but it was an organization formed by and with the Board of Selectmen in the Town of Hudson. With that in mind, he directed Sean Sullivan, the Director of Community Development, to take whatever action is necessary to get the account transferred over to the Town. Once they get control of the monies, he expects they will go into the General Fund. This group has shown a profit already, without even trying!

3) **James Way** – Selectman Cole said he'd like to revisit this issue, in spite of the pain they experienced with it, because there remains an item of unfinished business. When they discussed this earlier, Selectman Maddox had referred to this as being a massive waste of staff's time. Selectman Cole said Town staff has, for the last couple of months, wasted a great deal of time on the James Way situation. The Board has also spent a great deal of time on it. It is a situation that the Town did not cause, but found itself backed into a corner because of the PR ramifications. He has been waiting for the principals of Rose Realty Trust—

(Start Tape 3-A)

Mr. Leo Fauvel, to come to the Board to explain himself, to apologize or to say thank you for all the time the Town has put into solving his problem. He tried to determine how Mr.

Fauvel could possibly be called to account financially. His first thought was to send him a bill for all the time that was spent by the various Town employees. It is impossible to judge that accurately because the Town employees aren't asked how much time they spend on each item they work on. Still wanting Mr. Fauvel and Rose Realty to understand the Town's position, he took the approach of coming up with an amount of money as a baseline. He took the base annual salary of the Director of Community Development, the Fire Chief, the Chief of Police, the Town Engineer, the Road Agent and the Town Administrator and making the assumption that sometime during the course of the day, during a certain time frame, they spent at least an hour a day working on resolving the problems that Mr. Fauvel's inability to accomplish his mission caused the Town. That gave him a valid figure in order to make the following motion:

Motion by Selectman Cole, seconded by Selectman Maddox, that the Town of Hudson submit an invoice to the Rose Realty Trust, Leo Fauvel, Principal, in the amount of \$6,084.18 for services rendered during the period 10 November through 20 December, as related to corrective actions supporting public safety issues surrounding the James Way wetlands crossing.

Selectman Cole said he took the hourly wage of these individuals, an hour a day, during the time period 10 November (the letter to cease and desist was issued on 9 November) through the 20th of December. On the 21st is when the CO's were issued to several of the families out there, so that's 27 days, excluding Thanksgiving and the weekend. Twenty-seven times the total brought him to that figure. Selectman Maddox thought the Civil Engineer should have been included in the mix. Selectman Maddox said he used the department heads and key personnel as representing their entire department to come up with a number. The number—the \$6,000 is insignificant. It's the principal and the message that they are sending, not only to Mr. Fauvel, who had he shown up to acknowledge the fact that he cause the Town a great deal of effort because of his inability to do his job, this issue would have gone away, but to other developers in the future. It would be most appreciated that if, once they have told the Town they are going to do something, they in fact do it.

Vote: Motion carried 5-0.

C. **Kathleen MacLean**

HCTV – Selectman MacLean said she really appreciated how wonderful HCTV looks. She has had comments from citizens, telling her it looks great; it's informative and interesting—the football games, basketball, wrestling—the school is getting involved and it's a great thing. She thanked everyone who was involved with that.

D. **Rick Maddox**

1) **Circumferential Land** -- Selectman Maddox said earlier in the evening, Representative Jasper was present to plead the case he has been pleading, so he is going to jump on that bandwagon. The Town of Hudson would be shortsighted to sell off what was formerly known as the circumferential land. They need to have that avenue for a roadway at some point. If it's dead as the circumferential, so be it, but it is the dividing line of their zoning; it is the premise by which they set up a lot of their zoning. To sell off that land for the possibility of a bridge does not get them anywhere. He hoped that they would send a letter to all of the parties that Representative Jasper mentioned—the Governor, the Executive Council, the Representatives, the Senator—to say the Town of Hudson is not interested in selling. He will make that motion, after saying to sell that land takes away their avenue to do anything in the future. Whether it gets built in the next year or the next 20 years, once it is sold, they will never be able to buy the amount of land that's there to build something to get people out of and into Hudson. If Green Meadow goes where it is headed, with the size and traffic, they are going to want to have that piece of land available to do something with. Not the grandiose plan of the 60's and 70's, but even a 50' wide Town road moving through that 400' buffer, much like Albuquerque Road in Litchfield, that would give them a means of getting people off of all of the very overburdened side roads.

Motion by Selectman Maddox, seconded by Selectman MacLean, to send a letter to the Governor, the Executive Council, the Senator for Hudson, the Representatives from

Hudson, and the Commissioner of Transportation, that the Town of Hudson respectfully requests that the land known formerly as the circumferential highway not be sold and be transferred to the Town of Hudson and if, in fact, the State does sell the land, how it intends to fund the third bridge from proceeds that will not equal the amount that has been given as an estimate for the cost of the bridge

Chairman Massey said the motion was not appropriate because the State cannot turn the land over to the Town. The State owns the land and to turn it over to the Town, based on the bills that were passed in the last legislative session, they would have to put it at their market value. The first part could be achieved with the motion, but the second part depends on how much money the Town would want to put up. The motion would not work to include “to turn it over to the Town.” Selectman Maddox removed that portion of his motion.

Selectman MacLean agreed wholeheartedly with Selectman Maddox, but the last time this was discussed, it seemed like a hopeless cause. Now that there is a little bit of hope, from what Representative Jasper said, and there still is light at the end of the tunnel. They should beg and plead not to sell the land.

Selectman Cole said he was confused. There seems to be some disconnect with what Commissioner Murray said and what her position might be. He asked Chairman Massey to clarify that. Chairman Massey said at the meeting in August that he attended, along with Commissioner Murray, one of her deputies, Representative Renzullo and Senator Clegg, at this Board’s request as to what they could do to get the so-called third bridge funded and built. Commissioner Murray and Senator Clegg both said that there is no money in the bridge account. There is a place-holder in the 10-year Transportation Plan for it and that the only way there would be money to build a bridge is if the State sold the land on the circumferential highway. He attended another meeting at this Board’s direction on December 20, and it was again reiterated by Commissioner Murray that there is no money for this bridge in the 10-year highway plan and the only way they would get that money is if they were to work with the State to sell the land that the State owns in Hudson and Litchfield, and use that money to purchase the bridge. Subsequent to that, they learned that the Representatives met on their own with the Commissioner and, as he learned tonight, they are going to meet with the Commissioner on the 19th to discuss this further. In both of the meetings he attended, there was always the message that the only way the bridge would get built was if the State sold the land—and the circumferential highway is dead, at least from the State’s perspective. There is no money in the 10-year plan to do it and the biggest project the State has to worry about in the next 10 years is the widening of 93 from the border up to Manchester.

Selectman Cole said there still is a disconnect. Mr. Jasper alluded to the fact that Commissioner Murray never made any such statement. He said something about somebody else was in the room, but he, himself, wasn’t there, etc. It sounds like a bad B movie. Selectman Cole said he takes Chairman Massey’s word for it, because he was at the meeting. Commissioner Murray doesn’t set or make policy; she implements policy, but she does make recommendations to the policy-makers. They heard over and over that if the Commissioner was asked to make a recommendation with regard to the third bridge, it would entail the sale of these State-owned properties, which is a contradiction to what he heard earlier during Public Input. He never believed that the money they would get from the State-owned land would pay for the bridge. He’s not even sure that he ever believed that the sale of that property and the monies were actually going to a capital reserve fund for the bridge. The possible highway to heaven that goes over to 111 and 102 may happen some day. Green Meadows may happen, but it may not happen for 20 years. The problem is still the third bridge. Mr. Jasper told them the Commissioner won’t recommend selling the property for the third bridge, so the question is what they are going to do about the third bridge—a here and now problem. They still have the problem at Taylor Falls Bridge. He wondered what this Board wants to do about getting a third bridge. If they want to send a letter to the Governor saying please don’t sell the land, he would support that. To him, that is just a red herring, a smoke screen. If the Town convinces the State not to sell the land, how are they going to get a third bridge? Sooner or later it is going to dawn on somebody that they need to have a bridge. It’s going to happen, so how do they influence getting a third bridge? He never thought for a minute

that land was in the kitty. Financially, they can't get enough. It's only valued at \$4 million. Even if they got \$15 million, that won't get them a bridge over the Merrimack, unless they put in a bridge like they did down in Tyngsboro. How are they going to get a third bridge? That is something that Board has committed to. Chairman Massey asked if Selectman Cole had any suggestions. Selectman Cole said he'd have some for the next meeting.

Chairman Massey said, in order for everyone to understand what was talked about at those two meetings, the first piece is that the State is not interested in the circumferential highway. That's straight from Commissioner Murray. The second piece is in order to make the bridge across the Merrimack viable, it would have to go from 102 to the Daniel Webster, which is Route 3, in Merrimack. They are talking about a piece of real estate that goes from 102, over. If Selectman Cole wants to put this on the agenda for the 24th they can, but he'd like to understand what the framework would be for that discussion. Selectman Cole said he didn't want to see them getting sidetracked with highways here and Green Meadow there. It may all come to pass, he didn't know, nor does anyone else. He does know they have a defined issue with regard for a need for a third bridge. It's not going to go away.

Selectman MacLean asked if they could invite Representative Jasper and the other people that were at the meeting he was at to the Board's next meeting so they're not hearing just one side of the story. Chairman Massey said they could certainly do that, but they would have to make sure it's structured correctly.

Selectman Maddox said he didn't disagree with Selectman Cole, but they need to find a funding mechanism. It's beyond the Selectman of the Town of Hudson to do that. If the State sold all the circumferential land in Hudson and got \$10 million, they put this into a fund that gets 3%, but construction costs are going up 10%, at some point, they can't build a walkway. The funding mechanism will have to be tolls. Somebody has to be willing to say that's the way to go, but it seems to be everyone's bugaboo. The Town can't put up a toll booth; that's up to the State. At NRPC, the stretch from 102 to 3 is \$60 million. That's a big gap from \$10 million. How do they get that? It's beyond the Town's ability to fund that. Some input from the State, if they got the money from the sale of land in Hudson, how they would get the extra funding. They can only guess what the State might or might not do.

Chairman Massey had a comment for Selectman Maddox. This motion is one of those motions where you are damned if you do and damned if you don't. He echoes Selectman Cole's thought process—this would be the wrong message to send now. The immediate need was identified through the traffic study in August. They know that right now, without having to do the traffic study to see that there is a problem with the north end of town moving cars through. The third bridge has been identified as one of the key ways to alleviate that. Even the State acknowledges that is a key solution to the traffic in the north end of Hudson. The worst thing in the world they could do is send this motion, as structured to the State and to the Governor and everybody else and have them think the bridge is off the table. The way the motion is constructed right now, he's afraid that will be the law of unintended consequences. It will especially be interpreted that way by the DOT. He would like to see a different motion crafted that would preserve their need for the bridge because, as stated, the letter would take the bridge off the table; it would take it off the radar from the State.

Selectman Maddox asked the Chairman if his motion should say something like "we believe that there is a strong need for a third bridge." Chairman Massey said no, not believe; they know there is a strong need for a third bridge. Selectman Maddox said he is having a tough time getting money to buy new kidneys by selling his heart. He didn't understand. If they get rid of the circumferential land, they can never go back. There is no way to get there. He asked if he should say they need both. Chairman Massey said, from his perspective, they would want to preserve, at the very minimum, the bridge and if they do it by putting they don't want to sell the land because it would provide some safety valve, that would be fine, but the safety valve only solves the problem that may come down the pike. They know the bridge is a problem. He would find it hard to support the motion, on that basis, because it leaves the bridge unstated. It would give a misdirection

to the State. The Board is already on record that the bridge is a current, critical need.

Selectman Maddox said he was not changing his motion, because it says what he wants to say, but he was open to amendments. Selectman MacLean didn't think the letter was going to dismiss the bridge, but that it would be a thought contained within the letter because the bridge is needed, it is vitally important. She said she would make that amendment, that the need for the bridge be included, the desire of the bridge, along with the desire for the land. They really go together. Chairman Massey thought that could be decided by consensus. He asked if the Board wanted to add that the bridge is part of the letter to the State. Selectman MacLean said sure. Selectman Cole said he wasn't as interested in the legislative delegation because he wasn't at their meeting and he didn't know what went on; he does know that the Chairman reported to the Board on two different occasions, so he trusted the Chairman's ability to understand what was said at those two meetings, or what was implied. The question to the State right now is how are they going to build a bridge. The estimate for the bridge and roadwork is \$60 million. "Commissioner Murray, what's the plan for building the bridge?" It's the State's land that the Town is getting very emotional about. It belongs to the State and there are probably federal restrictions on the monies that it was purchased with, but how are they going to build the bridge? That question has never been answered. He's heard that it's going to go in an account, and it will sit there forever like that \$17,000 they just found. That's the question he'd like the Commissioner of the Department of Transportation to address. Chairman Massey said that's where his thinking is, that selling the land all by itself, even if they don't sell it, the Town still has the problem of the bridge and, if they do sell it, as Selectman Cole has pointed out, they are a long ways away from a bridge. The problem he is having is if they go along with the fact that they would sell the land in order to fund the bridge, and there isn't an immediate plan to put the bridge in, then they've mortgaged their future for something that may never happen. That's the whole dilemma. By mortgaging their future, he means the State would get the immediate money; a commercial developer, in all likelihood would get the immediate use of the property, and the Town would be sitting here, 10 years from now, still trying to figure out where the money for the land is. Not selling the land is not the issue; it's how to get the bridge funded. They can tell the State they've come up with a funding mechanism that's different than selling the land, that's fine. Selectman Cole said it's not going to happen overnight. They can't sell that property tomorrow. There are a number of things that have to happen with those nine parcels. This doesn't have the immediacy that has been portrayed to the Board. Knowing some of the participants over the years, it looks like the Board is being brought into the middle of a little food fight between some of the elected officials at the State level. He'd rather let them sort out their little disagreements in the future weeks and months before the Town commits itself one way or another, especially if it means diverting their attention from the third bridge. That's what they have to do. That's their responsibility. Not roads that may or may not be needed in the future for development at a golf course that may or may not happen.

Selectman Maddox said the Planning Board heard at their last meeting that they will be coming in with the master plan for Green Meadow in March and April, so it's not a maybe; it's on the horizon. Selectman Cole said it may be 20 years before it works its way through the bureaucracy. It means nothing; it doesn't set a time table; it doesn't start a clock ticking that anyone can come up with a definitive end date. The issue that are going to be under review are Biblical in their proportions.

Selectman MacLean thought the Chairman was looking for a consensus. Chairman Massey said no, Selectman Maddox' motion was still on the floor. Selectman MacLean said she had made an amendment to include the bridge in the letter, but he told her they just needed a consensus. Chairman Massey said there is a consensus on the bridge and he didn't hear a lot of input. If this motion passes, his intention, after the letter is drafted, and it is being requested to be drafted by the Chair, he would be very clear that the bridge is their number one priority and that all the other things have to fall in place for that. Selectman MacLean asked if he could show the letter to the Board before he sends it out for their consensus. Chairman Massey said sure. Selectman Maddox said that's not what the motion said. Selectman Cole asked to have the motion read back. The Recorder complied.

Selectman Cole said he'd support the motion if the letter includes a reference to the fact that if, in fact, the State does sell the land, how it intends to fund the third bridge from proceeds that will not equal the amount that has been given as an estimate for the cost of the bridge. Selectman Maddox made that part of his motion.

(Start Tape 3-B)

Vote: Motion carried 5-0. Chairman Massey said he'd make sure everyone sees a copy of the letter before it goes out.

- 2) **James Way** – Selectman Maddox said during the discussion on James Way, the Community Development Director alluded to the fact that the Board of Selectmen, through the Chair, made the decision to issue certificates of occupancy. He's not sure what that decision was because he wasn't one of the Selectmen that was questioned. He wondered what that missing piece was. Chairman Massey said on the day before the Community Development issued the CO's Chairman Massey reviewed the documents that Chief Murray and Tom Sommers, and the members of Community Development put together. Because it was close to the Christmas cycle, he polled three other members of the Board. Unfortunately, he didn't get to Selectman Maddox. Once there were four people who were satisfied with the safety issues, he told the Community Development Director to do what he had to do where all of the issues had been resolved. On that basis, the Community Development Department made the decision. Because the safety issues had been addressed and all of the other elements relative to the structures themselves, they (Community Development) made the decision to issue the certificates of occupancy. He apologized for not getting to Selectman Maddox, but at the time, time was of the essence, especially given the fact that Christmas was approaching. The other three Selectmen were satisfied with the safety issues. Selectman Maddox asked if what they were saying was to make sure the violations come in at Christmas and the Board of Selectmen will jump through all the necessary hoops. He didn't see how a holiday generates an emergency. He thinks this should have waiting for the next Board meeting on December 27. He is disappointed with the procedure used to make the decision.

Chairman Massey said once the individuals went public with their problem, they faced the potential of a public relations disaster and he, for one, did not want to read in any newspaper, "The Selectmen are the Grinches that stole Christmas." That was a conscious decision on his part, so he accepted the fact that Selectman Maddox was mad at him. Selectman Maddox said he wasn't mad at the Chairman, but he was disappointed that the Chairman decided that Christmas was a factor in making decisions. Chairman Massey said that was absolutely right; it was absolutely a factor. Selectman MacLean said Selectman Maddox did sound like a grinch. Chairman Massey said Selectman Maddox was right in that had it not been Christmas, they would not have done anything until the 27th, but he didn't want to be responsible for a public relations disaster. This Board has too many issues to be faced without having to stand down on that one.

Selectman Cole said he was out of Town at the time, but he was polled. He asked why this would have waited until the 27th. Selectman MacLean said because the Board's meeting was, at which time they could address the safety issues. Selectman Cole said this had nothing to do with Christmas. The Chairman didn't make any decisions; the Board was polled and four of them were satisfied with the resolution of the safety issues. That consensus was relayed to Sean Sullivan, the statutory authority to issue CO's, if all the other boxes are checked. He didn't look at it from the Christmas perspective, other than the obvious coincidental dates. If the safety issues were not resolved, he wouldn't have cared if Santa Claus was on the other side of the bridge; he wouldn't have gotten across. From his perspective, Christmas had nothing to do with his vote. Town staff had been asked to go out to see if there was a resolution, based on designs that were presented. They went out; they checked it; they came back; they gave the Selectmen a report. That it was a few days before Christmas was truly coincidental. He was in the Christmas spirit, but not for James Way. He wasn't speaking for Selectmen Stewart or MacLean, but Christmas had nothing to do with his decision.

Selectman MacLean said the issue with the 27th was when they met with the people when they first came to the meeting, the Board said they'd address all the safety issues and check everything out and, if everything was OK, they'd address it on the 27th. That's her recollection. It was a matter of safety, yes, but that they approved it before Christmas made it all the better. That's why the 27th was coming from. That's when they were

initially going to address it, but it got addressed a little sooner because the problem was taken care of sooner. Why make the people wait until the 27th? Selectman Maddox said for people who are interested in plans, there didn't seem to be a plan. He understands people are signing some sort of legal document that says whatever they are going to do—that the Selectmen haven't seen—says it's OK, but if someone slides into the brook, they may have unintended consequences. He wanted to see the policy and plan followed up on, not simply there's no safety issue, so let's go. Chairman Massey said he wanted to be clear; had there been a safety issue, still unresolved, Christmas wouldn't have made a difference. End of story.

5. **Ken Massey**

- 1) **Warrant Article to Purchase of Right-of-way, known as Wall Street** (deferred from 12/27) -- Chairman Massey said on December 27, this warrant article was discussed. Given the lack of sufficient data on what they were being asked to buy, and the fact there are at least three different delineations of that property, and the fact they don't really know what the price should be, he's removed it from the agenda. If it comes up in time for next year's warrant articles, and the owners have some issues for them, they can look at it then. For now, they'd be beating a dead horse. Selectman Cole asked if this article came to them from the Planning Board. Selectman Maddox said it came from him, as a means of getting traffic off of Constitution Drive where the Planning Board just approved a skating facility. One of the issues of that whole industrial park is how traffic is going to travel out of there. Clement Road is very winding and dangerous, coming on to 111, so they were looking for another way to get out of there more safely. Wall Street was an option. Because they didn't have a clear delineation as to what they owned, he agreed with the Chairman; this doesn't need to move forward at this time because it won't go anywhere. Selectman Cole asked if, subsequent to the Planning Board's serpentine recommendation, they found out there was some title issues, or things like that they weren't aware of. Selectman Maddox said they own the land, but there isn't clear title where the roadway goes. Selectman Cole said he was absent on the 27th, so he missed that conversation.
- 2) **DOT meeting on January 24 in Concord—Green Meadow Traffic Analysis** (deferred from 12/27) Chairman Massey said the impact of this project on the State highway system is going to be addressed. Members of the Community Development Department will attend the meeting, as is Selectman Maddox.
- 3) **Update on South End Water Projects**: Relative to the Compass Point booster station, the bid spec is going to be available for distribution to potential bidders in March 06 and the anticipated time for doing the construction would be in May 06 timeframe. As a companion to that, the Holly Lane pipe line extension, because of the high water table in that area, the planned construction by the Highway Department is in May, also. The River Road looping construction project, remobilization, restarting of the actual construction is scheduled to begin as soon as possible in April or May, when the road surface will allow. On the south end water tank, the current plan is that the bid spec would be completed by July of this year and the construction would start in September or October time frame. There are some considerations that he asked the Town Engineer to include in the bid spec, which would be the ability to, if they, at some point down the road, wanted to engage a contract with any of the cell tower companies, that they could potentially get revenue by having antennas on top of that tower, but it's not going to be a requirement of the bid spec. That would be something they would look at afterwards. There are also some issues with subdivision and site plan that he will have an update for at the next meeting, and that would include the subdivision plans on the Compass Point booster station.
Signalization Project: Tomorrow, Community Development and Engineering will be reviewing the final language on the bid spec for the Central Street/Library Street signalization project.
Green Meadow: An ad was submitted to the Boston Globe this week to advertise for qualified consultants, who are expert in developing municipal assessment documents that all of the various boards in Town will use as the starting point to determine what it is they need to know in order to deal with whatever project is going to come along, besides Green Meadow. It's a request for qualifications that will, essentially, ask these consultant companies to provide the Town with a curriculum vitae of their qualifications to provide

an assessment document of the magnitude and scope of this particular project. The request for the advertisement was submitted to the Globe this week, for next week.

- 4) **Wrap-up Report of Budget Hearings**—Chairman Massey said when the final meeting was held, the total cuts to the Town that the Selectmen submitted to the Budget Committee was 1.2%, a total of \$306,935. The Budget Committee also made an additional approximately \$600,000 increase in the revenue projections. They increased the operating revenue assumptions by 4.3%. The four line items that the Board asked him, as its representative, to go back to the Budget Committee and make motions to restore: the \$100,000 to do the municipal assessment project failed; the motion to put the boat back in failed; the motion to increase the non-union management personnel salaries by 3.5% failed; and at the back of the packet that the Board got this week is a summary of the actual votes, as to who voted in favor and against those motions, and the motion to restore the money for the grants, a motion to restore \$3,000 was made specifically for the Child Advocacy Center. He made a decision that night, on the basis of how things were going, that it would not be appropriate to put the other \$4,000 in, either as an amendment or a separate motion. The \$4,000 was for the Interfaith Housing Project in the south end of Hudson and the Telephone Support Line. The final operating budget that the Budget Committee approved was \$25,694,612 representing a 1.2% decrease from the Selectmen's submitted budget and the revenue number is \$14,836,118.

Selectman Cole asked if the Board knew what it wanted to do at the deliberative session with regard to an of the items that are still outstanding, especially with regard to the \$100,000 that the Budget Committee hasn't supported for Other Professional Services under Board of Selectmen, 5110-252. Selectman Maddox said he wasn't there, but some felt that it shouldn't have been in the Selectmen's budget, but in the Planning Board's budget. He wondered if that would have swayed a vote. Chairman Massey said that was on the \$50,000. On the \$100,000 the comment was, "Why do you need money to find out questions? I already know what the questions are. Anybody could come up with the questions." It was an assessment on the part of a majority of the Budget Committee that the Board didn't need that money, that it would be sufficient to ask the developer to fund any and all things that needed to be done. The vote was not close. Selectman Cole asked if the Board had any interest to support a member of the Board going before Town Meeting as a private citizen and making a motion to put the money back into this line item, or are they folding their tent. Chairman Massey said he'd be willing to put the \$100,000 back on the table, if the Board is willing. He asked if Selectman Cole wanted to make that motion. Selectman Cole didn't think a motion was necessary, it was just a consensus between them. The Board supported the \$100,000 originally and he wanted to know where they were today. He asked Selectman Maddox, as the initiator, if he'd go as a private citizen and make the motion to have this put in and if any of the other Board members, as private citizens, would go to the microphone and support the motion. Chairman Massey thought they could do it as Board members, not as private citizens. Selectman Stewart said it could be done either way, as a private citizen or as a Board member.

Selectman MacLean said she didn't support the \$100,000 but she supported the \$50,000 because she thought there would be plenty of time to add more money in the budget next year. When they talked about the third bridge, Green Meadow was brought up like it was never going to happen, but now there is an immediacy that all of these studies are needed. It sounded like a contradiction of thought to her. She does not support the \$100,000. Chairman Massey said the \$100,000 is not specifically for a project like Green Meadow. It is to give them the tools that if any project, not just Green Meadow, but the document they are looking for and the consultant that would help them implement it would be there for any other project of that size that comes along. Selectman Cole agreed, saying Green Meadow was the catalyst, but the reality is Hudson is a community that is more than just the Green Meadow project in south Hudson. The issues affect the entire community. He couldn't understand what Selectman MacLean was still conflicted about, but he respected her right to be conflicted.

Chairman Massey asked if there was a consensus to put this motion on the floor at the deliberative session. Selectmen Cole and Stewart said yes. Selectman MacLean said no. Selectman Maddox said he was torn. As important as this issue is, he's not a fan of going

to the deliberative session and inserting money into the budget. There is a process, but they didn't get there. He's torn between saying it's OK for this project, but not for the other six that will follow suit. Chairman Massey said there are three votes that want to go forward, so they have a consensus. Selectman Cole said he knows what he wants to do as a private citizen, but he wanted to know how the Board felt about it.

Selectman MacLean asked if the Town could pay for a study on the bridge to find out how much it would cost and how to build it. The State isn't going to tell them, and that seems to be the big pressing issue. Chairman Massey said it's possible, but they don't have the legal right to go on the parcels of land that would be required to do that kind of project. Realistically, it's only the State that would be able to do it.

Chairman Massey said Selectman Cole triggered the things he really wanted to say. At the wrap-up session, when the numbers were looked at, a determination was made that they were not at their target of 4% and so the following cuts were made. \$17,600 from membership in the NHMA, now known as the Local Government Center; \$2,200 to remove the replacement of chairs and tables at Lions Hall; \$10,000 from the Fire Suppression overtime account; \$5,000 from the patrol account for the Police Department; and \$5,000 from the Highway Department. That night, he pointed out to the Budget Committee that if there was any department in this Town that runs lean and mean, it's the Highway Department. He also pointed out to the Budget Committee that night that, if it had not been for the FEMA grants of \$100,000 they wouldn't have only overspent that account by \$300, it would have been by \$100,300. But the vote still passed to take the \$5,000 out of their overtime. The Budget Committee took \$10,000 out of the ambulance capital reserve fund, but if you look at that realistically, the Town is going to be OK from a capital reserve fund, going into next year. It may impact what they have to do in either 08 or 09, but right now, they will have about \$43,000 left in the capital reserve fund, with the \$10,000 cut and the purchase of an ambulance. They took \$7,700 from legal from the Board of Selectmen. The two votes that concerned him most that night were the vote to delete \$17,600 from the Other Professional Services in the Selectmen's account, which is the membership fee in NHMA, and the rationale given for the cut that night was that since the School Committee had opted to not join the State School Board Association, that if they could do that, there's no reason why the Board of Selectmen couldn't do it. There was some question if that would have an impact on insurance, but rather than wait for an answer, the vote went forward and the money was cut. The other vote was, obviously, the overtime for the Highway Department because there isn't anybody that does a harder job for this Town, and tries to do it with the least impact on the taxpayers, than Kevin Burns does. So, he was particularly upset that that particular cut was made. The total cuts were approximately \$62,000 that were made that night. The cuts continued until a motion to cut off debate passed, 11-0. It was at that point that the motions to increase the auto registrations by a total of \$300,000, the room and meals tax by \$250,000 and that's how the Budget Committee got down to the number they wanted.

(Start Tape 4-A)

The two biggest impacts are we would no longer participate in the pool insurance programs for the employees, which is one of the major contractual items and the casualty and property damage contracts. On the basis of having this information on Thursday night of last week, the Budget Committee has agreed to reopen the Town Budget at the pre-public hearing meeting tomorrow night at 7:00 and put a motion on the table to put the \$17,600 back in the budget.

Selectman Stewart said it was very irresponsible for the Budget Committee member to make that cut when that individual should have known the ramifications of cutting that, considering his history on this Board and as a State Rep. It was irresponsible of the Budget Committee, as well, who have not ready any of the backup to continue to make the cuts and make statements they can't back up. Chairman Massey said they are the Budget Committee and the votes are what they are.

5. **Petitioned Articles**

Chairman Massey said one petitioned article was received, submitted by Shawn Jasper and validated by the Town Clerk's Office. He then read the text of the article.

Motion by Selectman Stewart, seconded by Selectman Cole, to forward to the warrant

the petitioned article for a Wage and Benefit Increase for nine Non-Union Personnel, that was validated by the Town Clerk's Office, with the Selectmen's recommendation, carried 5-0.

10. NONPUBLIC SESSION (None.)

11. ADJOURNMENT

Motion by Selectman MacLean, seconded by Selectman Cole, to adjourn at 10:10 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