

HUDSON, NH BOARD OF SELECTMEN
Minutes of the November 22, 2005 Meeting

1. **CALL TO ORDER** by Chairman Massey at 7:00 p.m. in the Selectmen's Meeting Room at Hudson, NH Town Hall
2. **PLEDGE OF ALLEGIANCE** was led by Selectman Kathleen MacLean
3. **ATTENDANCE**

Selectmen: Ken Massey, Teresa Stewart, Bill Cole, Rick Maddox and Kathleen MacLean

Staff/Others: Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant.; Kathy Carpentier, Finance Director; Richard Gendron, Chief of Police; Shawn Murray, Fire Chief; Sean Sullivan, Director of Community Development; Tom Sommers, Town Engineer; John Sauter, IT; Attorney Jay Leonard, representing Green Meadow; From W/S Development Association, Robert Frazier, VP of Development, Richard Askin, Designer and Ed Vydra, Project Manager; Len Lathrop; Lynne Ober; Rev. David Howe; Ray Rowell; Jim Battis; Jim Barnes; Atty. Prolman; Ted Luszey; Ben Nadeau; Duane King; 30-35 residents; Ashley Smith, TEL; Doug Robinson, TEL

4. **PUBLIC INPUT** – Remarks are limited to 5 minutes per person. If several people are present to speak on an issue, a spokesman will represent the entire group. There was no response when Chairman Massey asked if anyone wished to address the Board.

Certificates of Appreciation 10-year employees—Joyce Pike, Finance Department, was unable to be present. John Sauter, who is the IT Systems Operator, works in the Finance Department. Chairman Massey noted that in his dealings with the Finance Department that Joyce does an excellent job for the Town. He then recognized John Sauter, saying that John is often seen floating around Town Hall, fixing computer equipment or installing new software. A lot of the Town's day-to-day activities are made a lot easier by what John brings to the table. Chairman Massey presented John with a 10-year certificate, adding that he hoped John would be around for another ten years. After accepting his certificate, John stated that Town Hall is a wonderful place to work. In any place you work, you expect the people to be friendly and courteous, but at Town Hall, there is an enormous amount of helpfulness. A few weeks ago, he was having trouble with a balky printer that required constant attention. Someone had to literally stand beside it to keep it running. People from all over the building came down to help him. They would stand in front of the printer and take their shift, watching it until someone else came to take their place. Because of that, the property tax bills were able to get out in time!

5. **NOMINATIONS & APPOINTMENTS**--Year-end appointments are coming up at the Board's next meeting. Applications are due in the Selectmen's Office by December 7 by both incumbents seeking reappointment and new members.

6. **CONSENT ITEMS**

Selectman MacLean thought there should be some fee schedule that would penalize people for being late in paying their sewer or water bill. Chairman Massey said the Board could take it under advisement, but the Sewer Committee spends a great deal of time looking at the applications for abatement, but he will bring it up at the next Sewer Utility meeting. Selectman Stewart wanted the Police Department's CALEA assessment added to the calendar on December 11-14.

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

- A. **Assessing Items**

- 1) Veterans' Tax Credit Applications, w/recommendation to grant (18B Chagnon Lane, 72 Kimball Hill Rd, 35 Shoal Creek Rd, 1 Hunter Lane, 13 Bowes Cir, 12 Daniel Webster Dr, Baltusrol Dr, 53 Bowes Cir)
- 2) 2005 Abatements, w/recommendation to approve: 203/119; 8 Terra La; 9 Parker Dr; 24 St. Laurent Dr.
- 3) Disabled Tax Deferral Application, w/recommendation to grant (7 Alpha Street)

- B. **Sewer/Water Items**

- 1) Sewer abatement requests, w/recommendation by SUC to grant: SUTL-06-06, 515 Elmwood Drive, #3329; SUTL-06-07, 2 Hayley Court, #5478; SUTL-06-08, 12 Sousa Blvd., #4301
- 2) Application for Payment from Trust, w/recommendation by SUC to approve

- C. **Licenses and Permits**

- 1) License to purchase scrap metals by Granite State Salvage Co, w/recommendation by Police Chief to grant.
- 2) Alvirne Class Act (Drama) to hold raffle on April 15, 2006 for two tickets to the play *Wicked* in Boston, w/bus transportation, on May 2.

- D. **Acceptance of Minutes**

Minutes of the Board of Selectmen's Meeting of November 8, 2005

- E. **Calendar**

- 11/24 Town Hall closed for Thanksgiving Holiday
- 11/25 Town Hall closed for Thanksgiving Holiday
- 11/28 7:00 Budget Committee in BOS Meeting Room
- 11/29 7:00 Budget Committee in BOS Meeting Room
- 12/01 7:00 Budget Committee in BOS Meeting Room
- 12/03 9:00 a.m. Budget Committee in BOS Meeting Room
- 12/05 6:30 School Board in BOS Meeting Room
- 12/06 7:00 Budget Committee in BOS Meeting Room
- 12/07 9:00 a.m. Highway Safety Committee in CD Meeting Room
- 12/07 7:00 Budget Committee in BOS Meeting Room

12/07 7:00 Planning Board in CD Meeting Room
12/08 6:30 Recreation Committee @ Rec Center
12/08 7:00 Sewer Utility Committee in BOS Meeting Room
12/08 7:30 ZBA in CD Meeting Room
12/11-14 CALEA @ HPD (added by Selectman Stewart)
12/12 7:00 Budget Committee in BOS Meeting Room
12/13 7:00 Board of Selectmen in BOS Meeting Room
12/14 Last day to receive zoning petitions
12/14 7:00 Budget Committee in BOS Meeting Room
12/14 7:00 Planning Board in CD Meeting Room
12/15 1:00 Trustees of the Trust Funds at Town Hall
12/15 7:00 Budget Committee in BOS Meeting Room
12/19 6:30 School Board in BOS Meeting Room
12/19 7:00 Conservation Commission in CD Meeting Room
12/20 7:00 Budget Committee in BOS Meeting Room
12/20 7:00 Cable Utility Committee in CD Meeting Room
12/21 5:00 Water Utility Committee in CD Meeting Room
12/21 6:00 Library Trustees in the BOS Meeting Room
12/22 7:00 Budget Committee in BOS Meeting Room
12/22 7:00 Open Space Committee in CD Meeting Room
12/22 7:00 Lower Merrimack River Committee at NRPC
12/26 Town Hall closed for Christmas holiday
12/27 7:00 Board of Selectmen in BOS Meeting Room
12/28 7:00 Budget Committee in BOS Meeting Room
12/29 7:00 Budget Committee in BOS Meeting Room

7. **OLD BUSINESS**

A. **Police Department's Council on Accreditation for Law Enforcement Agencies (CALEA) on-site Assessment**

Chief of Police, Richard Gendron, said the Hudson Police Department is up for re-accreditation with regards to their certification with CALEA. In order for them to maintain that status, and remain in compliance, every three years they need to be reassessed to make sure they are doing everything that is required by CALEA. The team that has been selected to assess the department is Team Leader Capt. Rosanna Dove from Peachtree, Georgia, Chief John Most from Bladensburg, Pennsylvania and Sgt. David Belmonte from Lake Bluff, Illinois. They will be coming in on Sunday, December 11 to 14 to assess the Hudson Police Department. At any time during the process, it's important for the Board to feel free to stop by the department and the Chief will introduce them to the assessment team. On December 14, they will do an exit interview, which will be opened to police employees and Town officials. During the day on Monday, they will be working on the files and reviewing presentations from police staff. There will be open lines for people to call in during a specified window of time, which he will be advertising. There will then be a public hearing at 7:00 p.m. at Hills Garrison for people to come in and comment on the Police Department. On Tuesday, they will be working on files again, presentations, doing ride-alongs and interviewing employees. The department has sent out a third of their files already to the team. The response back was that every one of them was excellent, needing no changes whatsoever. Three years ago, there were only eight files questioned, which was totally unheard of. The average is 60-70 files that needs clarification. They hope to have the same on-site that they did three years ago. Sgt. Kevin DiNapoli is the accreditation manager, which is a learning process for him. Retired Capt. Bill Pease has been stopping in once a week to make sure everything is done the right way. Chief Gendron hopes they will pass with flying colors; he will provide a detailed agenda to the Board.

B. **Combined Police and Fire Dispatch Center**

Chief of Police Richard Gendron and Fire Chief Shawn Murray were recognized. Chief Gendron said they've been meeting with representatives from Motorola and the architect, Kastel Boos, the original architect of the police facility that was constructed 10 years ago. Their goal was to see if they could expand the facility to include combined dispatch for police and fire. The current facility is approximately 14,200 sq. ft. with a two-position console. They are proposing to add a section in the combined dispatch area that would allow for a four-position console. There will be a supervisor in charge of combined dispatch and the expansion includes an office for that person. All the computers, the IT aspect of police and fire, radios, the telephone system, fire alarms, etc., will be secured in an equipment room, which they will be adding. They would also add two more cells, handicap-accessible. It would make sense to expand the Ann Seabury Community Room up to the sidewalk in the parking lot. That room is now being used as the emergency operations center and when all of the computers are brought in for a drill, it gets pretty tight. The roof would have to be reconfigured. If left the way it is, the ice and snow will slide onto the sidewalk or in the parking area, which will damage vehicles parked there. They are also working with Motorola to bring the existing equipment up to the Police Department and, at the same time, build the two new consoles at a cost of \$252,000 to make that happen. It will cost \$85,000 to move the fire alarms up there. They also found that the Police Department's phone system is currently maxed out. The new phone system for the computer lines, etc. will cost \$29,500. The new system will also allow them to do a backup. The difference is dramatic, almost like switching from analog to digital. The current system will not accommodate combined dispatch. Including all of the items, the total cost of the project is \$1,086,400.

There was actually three phases to this project. Phase one was to hire dispatchers. They hired RCC Consultants in the late 90's, at which time they determined that for combined dispatch to work properly, it would require two dispatchers 24/7, with a supervisor in charge of the dispatchers. That came up to 10 full-time dispatchers and one full-time

supervisor. At the March 2004 Town Meeting, they put forth the first warrant article to hire dispatchers. At that time, the Police Department hired two dispatchers and the Fire Department hired one, which brought them to the total of 11 full-time dispatchers. When this plan is implemented when combined dispatch takes place, one of those 11 dispatchers would become the supervisor, so the staffing levels have been addressed. Phase two was the actual construction and purchase of equipment for combined dispatch. Phase three took into consideration the transition period of training and cross-training police and fire dispatchers and actually making the physical move.

Selectman Stewart offered a big thank you to Chief Gendron and Chief Murray and their staff for pulling this project together. All three studies recommend combined dispatch. If anyone disagrees, they should stop by the Fire Department to see the “closet” they have to work in, which is a stressful environment. It becomes a safety issue if there is a major event. On December 4, they are going to tour some combined dispatch centers. The Board and Budget Committee are invited, and probably the School Board. If anyone else would like to attend, they should contact one of them.

Selectman Cole asked if the staffing would become a new bargaining unit in Town. Chief Gendron didn’t think so, but that is something the Board would have to take up with their labor relations consultant. About five years ago when they talked about this, the recommendation was to absorb all of the dispatchers into the police union. Selectman Cole said he was looking at Option 2. The wording talks about taking money from the 05-06 surplus. Mr. Malizia said it would come out of the surplus at the end of this fiscal year, with something added to it.

Motion by Selectman Cole, seconded by Selectman Stewart, to forward the following article to the warrant—To see if the Town of Hudson will vote to raise and appropriate the sum of \$1,086,400 gross budget for the purpose of combining Police and Fire Dispatch and to appropriate \$1,086,400 from the 2005-2006 unencumbered budget surplus.

Selectman Cole thought the whole thing should be funded from surplus; it’s taxpayer money either way. Chairman Massey said he looked in the auditor’s report ending June 30, 2005 and the unencumbered balance was \$7,479,000. They are anticipating taking \$1,450,000 for next year’s budget, which would leave approximately \$6 million. If they were to take the entire amount, they would be down to \$5 million. Mr. Malizia said that was not correct. Right now, for 2005, they’ve already taken \$1.45 million for tax purposes, so they are down to \$5.5 million. Last year’s warrant committed another \$600,000 for part of the purchase of the fire truck and the land use change money that was lost a couple of years ago comes out of the surplus. For the budget they are currently working on, another \$1.4 million is coming out, so the unencumbered surplus is really down to \$3.6 million before this project. If they take \$1 million, they will be under the 5% recommended DRA guideline. However, they can expect that something will be added to surplus during the year—more motor vehicles registered, certain budget items under-spent, etc. Chairman Massey said this would be Warrant Article ‘M’ in the budget book. Selectman MacLean asked for Mr. Malizia’s recommendation. He said his recommendation was the motion. He just wanted to make it clear that they weren’t at 7.2 today.

Vote: Motion carried 5-0.

C. Cable Facilitator

Selectman Cole asked that James McIntosh and Robert Clubb be invited to the Board’s next meeting on 13 December to meet during nonpublic session, with the hope of hiring of a cable facilitator. Selectman MacLean said the Cable Utility Committee was ready to make a recommendation this evening. Selectmen Maddox and Stewart agreed. Selectman MacLean said they had two very qualified candidates, both of whom were interviewed.

(Start Tape 1-B)

She hoped the Board would vote in favor of the committee’s recommendation so they could move forward. Cable Chairman Mike O’Keefe spent about an hour with both candidates, talking about the job and their interests and background. The committee also had a chance to interview them, with a recommendation to hire James McIntosh for the position. His strength is his background in television, as well as his enthusiasm for the position. Selectman Maddox asked if Mr. McIntosh is ok with the salary. Mr. O’Keefe said yes.

Motion by Selectman MacLean, seconded by Selectman Maddox, to hire James McIntosh as the Hudson Community Television Facilitator, effective November 23, 1005, in accordance with the Hudson Community Television Facilitator contract, approved by the Board of Selectmen on 9/27/05 and amended on 10/25/05, as recommended by the Cable Utility Committee, carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Cole, for a recess at 7:40 p.m. carried 5-0. Meeting resumed at 7:45 p.m.

8. NEW BUSINESS (Start Tape 2-A)

A. Green Meadow Presentation

Attorney Jay Leonard, representing the Friel family, owners of the Greenmeadow property and from S. R. Weiner, W/S Development, Robert Frazier, Vice President, Ed Vydra, Project Manager and Richard Askin, Designer were recognized. Atty. Leonard said Greenmeadow Golf Course, consisting of 375 acres, is located in the south end of Town. Over the years, many parties have been interested in this property, but the Friels have always understood how important it is; how important the property is to them and to the Town of Hudson. It’s from that standpoint that they began the process of looking at different developers and companies that are involved in development and have selected S. R. Weiner, W/S Development, a group from Chestnut Hill, whose expertise is in open air, pedestrian-friendly shops

and mixed use developments. That's the reason they are very excited about the project. Over the past few days, he has received a lot of questions and many phone calls, once it became clear what was going to happen. Their goal tonight is to introduce the project in order to start the process—a long process, but they are excited about working with the Town and with the people in Town that are interested. There won't be any type of vote tonight, something he wanted the public to know. There will be many opportunities to present information from all sides during the planning process, which they will address, as well.

Mr. Frazier, Vice President of Development for S. R. Weiner, which is based in Chestnut Hill, MA. They are a New England-based developer. The W/S Development component of their company does the actual development. They do a lot of work on raw sites throughout New England that have nothing on them. A lot of their projects are redevelopment of existing projects, sometimes industrial, sometimes retail. In this case, there are about 70 dots on the map (visual display) where they have projects of various sizes. All of the dots represents actual communities, with real people, and they take a lot of pride in working closely with the communities they go into to develop their shopping centers. They own, operate and manage the centers. It's a complicated project to put together a conventional shopping center. The project they are proposing tonight is even more complex, being a 375-acre parcel. They are looking at this as a mixed use project. It could have a lot of opportunities for access to the river in terms of river walks and opening it up to the public. They are looking at the potential for office and residential, but they are predominately a retail developer, and that's what they specialize in. Over the last several years, they have been the leader in New England of the latest retail concept to come into the marketplace, which is called a lifestyle center. It creates almost a town village atmosphere that has a lot of components to it—boutique retail shops, a lot of fine dining and restaurants, and it is put together in a fantastic array, which will be demonstrated in a 10-minute video presentation of three of the centers they developed in Hingham, MA, Milbury, MA and Canton, CT (the former Canton Golf Course). The centers often have an entertainment component. He then recognized Ed Vydra, the “quarterback” of the design team. (At this point, the video was shown.) Mr. Frazier said a lot of hard work goes into the planning of one of these projects. They don't just pop out of the ground. With the magnitude of this project, it may take 15, 20 years to develop the property. He wanted it to be something the community can be proud of, as well as benefit from. In terms of the financial aspect of this, to be a positive force in the community, to assist the community with other issues—police, fire, schools—this is an important contribution they have before them, to work together to make this a reality. He then recognized Richard Askin.

Mr. Askin said he was the director of the retail planning function in the firm. The plan before the Hudson community is probably the most exciting project that they are involved in because it is such a beautiful site, situated on the bank of the Merrimack River. Its opportune because of the interstate quality roadway that passes right by the site. That's the first thing you look at when developing a project such as this; it needs to have highway access and visibility. They plan to modify the roadway infrastructure to make it work even better than it is today. The property also offers a rolling terrain and vistas. There are views across the river and to the hills beyond. The site allows for both vistas to be incorporated into the master planning. Given its proximity to the river, one of the first things they thought should be explored is how to connect the proposed development to the waterfront. They could easily ignore that, but they won't. The idea is to have a waterfront district that is natural, that provides pathways for walking, jogging, biking, to walk from the commercial development down to the riverfront. Their core business is retail development, but because of the scale of the project and the location, there is an opportunity to incorporate the mixed use aspect. They can add in residential. There is an opportunity for a big hotel. Even though the office market is very flat right now, there is a cycle and, eventually, office use may also be a part of the mixed use plan. There will be a number of uses that will be integrated. The challenge of the master planner is to bring all those things together in a coherent and integrated fashion. In the several years that he, Bob and Ed have been working together, they rely only on their in-house expertise. Three different master planners—two from the Boston area and one from Baltimore—come in and work with them in different stages to get the best ideas on the table. For over a half a year, they have been working on developing a series of schemes that explore the opportunities he mentioned. The plan before them showed the highway coming across the river on to Route 3-A. (He used a visual to explain his points.) The waterfront area, strung out along the edge of the water, could have some residential buildings within it, but it would be perceived as a natural environment. There is already a 50' tree line that stands all the way across at the river's edge. The intent is to keep that, and add to that. The retail development is not just about store fronts and who is behind the store fronts, but it's what happens out on the sidewalk—the sidewalk experience. That includes nice paving, landscaping, pedestrian light poles that are 12' tall, benches, etc. A whole array of passive amenities that occur along that pathway. The team has been working to devise a roadway, which is being called the Route 3-A bypass connector road. It has a pair of ramps that tap into the existing interstate-quality road and brings traffic, bypassing the existing Route 3-A corridor. Such a development would generate a significant amount of traffic.

(Tape 2-B)

The idea is to get traffic to the site and not over-burden 3-A. There is a whole lot of study that goes into something like this, and they don't have all of the answers right now. They have to start somewhere—with a concept. The connector road has a primary loop road that goes around the 375 acre property. That would be a tree-lined, divided boulevard that would be on the property and would be quite long. Tapping off of that roadway are districts of development. The idea is to have a hierarchy of traffic management and land use that work together. There are place holders for what could be office development. There are two planned hotels, one down by the river. There is an understanding that a buffer zone would be created at the southern end of the property because, unlike the other sides of the property, there is a neighborhood on the southern boundary. They would be sensitive to that. There would be a buffered, landscaped berm. The idea would be to put some density in the landscaping between the commercial development and residential neighborhood that is pre-existing.

The lifestyle center, the specialty center, is the more upscale tenants. There is a very large public space that occurs in there. It's part street, part sidewalk and part plaza. They have some other amenities they would like to work into the scheme. For example, a flag lawn. It could be recreational; it could be aesthetic. It's a green space in the middle of the commercial development, which is to soften the center of a commercial development. That's in addition to trees and landscaping that occur on the extreme edges of the sidewalks. One additional idea they think is feasible is that, during the winter, a portion of that green could be a skating rink. They wanted to show how the combination of the curving, gateway boulevard coming from the connector road, coming down towards the river, creates a visual access down to the river and beyond. This is a dramatic opportunity in terms of land planning. The terrain slopes gently down to the river, so as you would drive or walk into that corridor, you would have a view of the river and beyond. In order to take greater advantage of that geometric setup, down on the riverfront, they could have a lawn with a music shed. It could be like a natural terrain amphitheater. It's mostly passive and mostly aesthetic. He compared it to Tanglewood, where they just bowled out the earth, but it fills with people. This is just one of the ideas. They are looking for input from everyone in the community as to what is most appropriate.

Down by the river, they are also showing an outdoor café/restaurant, which would have outdoor seating by the river. There is also a garden-style hotel—low scale, with balconies, terracing down to the edge of the amphitheater. The walkway he mentioned earlier will run parallel to the river waterfront district. They don't know just yet what regulations may prohibit any development of the river—kayaking to motorboating. Those are details they will have to explore, but if there is an opportunity to do anything with boating, they'd like to see that tie in. This very large project would require an awful lot of design, construction and investment cost to create such a wonderful place, but they think the project can support this. They are in the process of developing a more definitive master plan and looking for input from the community as to their direction.

Atty. Leonard said everyone could see that this is a very significant effort and the planning is a difficult process, but an exciting process. They will begin the formal planning process at the beginning of next year. They hope to go before the Planning Board sometime in the near future, maybe early December, where they simply introduce to the Board some of the ideas they talked about tonight in, perhaps, a little more detail and, eventually, get into some workshop efforts. They will hear from the public, also, in those kinds of meetings. The roadway is a very important part of the project. They've been to the State DOT to discuss the idea. The initial response had been very positive. That effort is significant. It requires a direct access to the bridge. The bypass road will end up south of the Dracut Road intersection. It's important to this project and it's important to the Town. They will be looking for support from the Town, but the Town will not have to pay for it. The support they are looking for is to be in favor of the idea. This idea is still in its conceptual stages, but it's a second front they will continue. He thanked the Board for this opportunity, saying he looks forward to working with them.

Selectman Maddox, the Selectmen's representative to the Planning Board, read the following prepared statement:

Over a year ago, the Board of Selectmen assembled a team to be the Town's point of contact for the Green Meadow project. Selectman Cole and I represented the Board of Selectmen. Other members of the team included Town Administrator Steve Malizia; Director of Community Development Sean Sullivan; Town Planner John Cashell; Town Engineer Tom Sommers; Police Chief Richard Gendron and Fire Chief Shawn Murray. During the last year we met as a group several times and individual members of the team interfaced regularly with Green Meadow Development personnel. At this point I would like to thank all of the members of the team for their hard work on a project that, at the request of the Friel family and the developers, was asked to be kept confidential. Additional thanks go to all of the town staff who have supported the team in various aspects and maintained the confidentiality of this project. Now that the cat is out of the proverbial bag, we look forward to working closely with the Friel family interests and the developers to formulate a project that meets their needs while addressing the many concerns of the Town of Hudson. Town Planner John Cashell, at one of our meetings, said it best: "This project will change Hudson forever." It is our duty, as elected town representatives, as well as all of the various town boards and committees, to balance the rights of the landowners with the concerns of the abutters and the welfare of the entire town. At one of our meetings with the developer I, as a Planning Board member, made the statement that "the devil is in the details." It is now time for the development team to present their vision of the Master Plan of this 375-acre parcel to the various town boards and committees, as well as to State and Federal agencies, as they move forward with the project. This is but the first step in the long process from inception to a completely developed 375-acre site. We ask that the developers work with the town to address the many concerns such as: traffic, demands on town resources (additional police, fire, highway, schools), and infrastructure (sewer, water). Finally, it is my hope that the proper amount of time be expended to address all of the town concerns and to build a project of which both the community and the developer can be proud.

Following the statement by Selectman Maddox, a recess was taken from 8:30-8:40 p.m.

- B. Public Hearing on Ordinance 05-03, Chapter 274, Water Utility, Temporary Water Moratorium, So Hudson**
Town Engineer Tom Sommers said for a long time, there has been a discussion on the water supply system in the south end of Town. As that section of Town has grown, with the very real potential of growing even more, that concern becomes greater and greater. Until that problem is solved, the recommendation is to enact this ordinance. This ordinance provides for a temporary moratorium on service connections in the south end of Town (identified on Exhibit

A), which goes from the Route 3 connector road, i.e., SAM's Club/Wal-Mart at the north end, down to the Dracut, MA town line. It includes all of the areas serviced by water at this time. The moratorium would stop additional connections that haven't already been applied for and paid and it would temporarily stop any expansion of that system until they have the right pieces in place to provide the redundancy needed. The Town has already received approval from the voters to fund the south tank, which is in process. The ordinance states there will be no connections, with the exception being a Planning Board approved plan in place that meets the State RSA (a grandfathered plan). The second exception is an individual connection. They must show that they won't be affected by low pressure and lack of volume. All of that, including how that is determined, is spelled out in the ordinance. The Town's attorney reviewed this ordinance and the Town's consultants, Weston & Sampson, were involved in its development. Once the appropriate solutions are put in place, which have been funded, this moratorium is no longer needed. That could be from one year to several years, depending on how everything falls into place.

The public hearing was opened at 8:45 p.m. No one in the audience wished to speak on this, so the hearing was closed.

Chairman Massey passed the gavel to Vice-Chairman Stewart, saying that he will abstain on this vote because he is a homeowner in the affected area and believed it would be in appropriate for him to vote on it.

Motion by Selectman Cole, seconded by Selectman MacLean, to adopt Ordinance 05-03, Temporary Water Connection Moratorium—South Hudson.

Selectman Cole said he was working off a document that had the following words added to the end of A-4, "and the River Road looping project has been completed." Motion by Selectman Cole, seconded by Selectman MacLean, under §D., that the appropriate wording with regard to the River Road looping project be added to the Groves Farm Road statement; that in the last sentence, change the word "prompt" to "appropriate" and the word "abolish" to "remove" carried 4-0. Selectman Massey abstained.

Vote on the amended motion carried 4-0. Selectman Massey abstained.

The gavel was returned back to the Chairman.

C. Weston & Sampson Engineering Contracts--Wason Road Booster Station Design & On-call Svcs Amendment

Town Engineer Tom Sommers said there are two amendments to existing contracts with the water utility consultants, Weston & Sampson. The first one is an amendment to the existing contract for the Wason Road storage tank and transmission line. This is the third part of the bond issue that was approved at the last Town Meeting to upgrade the Compass Point station. After discussions, this Board decided to put a new station in at the Stop & Shop property on Wason Road. The Town now has in place an easement for that. It's time to begin the design and go through the permitting process. This amendment is for Weston & Sampson to complete the design, with help from Mr. Sommers to get the permitting done. The lump sum fee of \$33,800 is fair, given the overall price of the booster station. They went through a process when Weston & Sampson was selected for this entire project encompassed by the bond issue. It allowed them to amend, as needed, to bring in this other piece of it. They did go through the Town procurement process, and Selectman Massey was very much a part of that process.

Relative to the second amendment, he believes he will be coming to the Board every year with this request. He needs to be able to call his consultant, John Boisvert from Weston & Sampson from time to time and to utilize their services to do a number of things. For example, he was asked by Selectman Massey to look at a capital improvements plan in more depth for the Water Utility, based on discussions at the Water Utility meeting. He needs a fund from which to draw in order to do those types of things.

Motion by Selectman Maddox, seconded by Selectman Cole, to approve amendment #2 to the contract for the South Hudson Water Storage Tank and Transmission Line, in the amount of \$33,800 from account 5592-204, (part of the warrant article passed in March 2005), to provide for design services for the proposal of Wason Road booster station, as recommended by Town Engineer, carried 5-0.

(Start Tape 3-A)

Motion by Selectman MacLean, seconded by Selectman Cole, to approve amendment #3 to the contract in an amount not to exceed \$10,000, budgeted through account 5592-225, On Call Professional Engineering Services for engineering expertise for a variety of water-related issues, as recommended by the Town Engineer, carried 5-0.

D. Public Hearing to accept a Transportation Enhancement Grant from NH DOT in the amount of \$205,179 to relocate and restore the former Hudson Train Depot

Sean Sullivan, Director of Community Development, said the transportation enhancement grant was applied for through his department in 2003. The Town was successful at both the NRPC level and at the Governor's Advisory Council on Intermodal Transportation Committee, who was impressed that the Town was making an effort to preserve a structure that was built in 1873 and such an important part of Hudson's past. The project amount of \$273,572 with a 25% match from the Town of \$68,393. Engineering funds of approximately \$20,000 are available in this fiscal year and construction funds will be available in the following fiscal year.

Selectman Stewart said Item III F states the project should commence within nine months after the date of the notice to proceed and be completed within two years. Mr. Sullivan said the notice to proceed won't be received until after the agreement that has been submitted to the Town has been endorsed. That goes back to DOT and, at some point in the near future, they will forward the notice to proceed to the Town. His experience has been that if they run into an unanticipated delay, DOT is pretty cooperative in working with the Town. Selectman Stewart said knowing the history in dealing with the State, she didn't see this commencing in nine months. The last she heard, there was talk about moving it out to Route 111 to be an information center on State property. Selectman Cole said there are several options. For instance, they could make an offer to the State of \$5,000 which is the current assessed value of it, and put it someplace else in Town. Selectman Stewart said she didn't want to have to give the money back and create a bad feeling with the people that granted this money. Mr. Sullivan believed there is some wiggle room with the time frame.

Selectman Maddox asked what time frame the \$205,000 figure was from. Mr. Sullivan said the grant was applied for in November 2003, approved by the GACIT committee in March 2004, so the numbers are at least three years old. Selectman Maddox said fear in his mind relative to the recent Highland Street to McDonald's 10-fold increase in 10 years, he wondered if this would have a 30% increase by the time they finally get around to finalizing the document. They are about to commit \$70,000 taxpayer dollars on the Town's side, but he didn't know what it would actually end up costing. At this point, in his mind, NHDOT stands for, "Never Having Documents On Time." Mr. Malizia said it works the other way. The Town spends the money and then gets reimbursed. Selectman Cole said the figure comes from the Historic Structures Report, which was an accurate figure three years ago. The price isn't going to go up for the Town unless they want to pay it. The grant the State is giving is a fixed amount of money. The Town is the one who will actually go out to bid on the restoration project. Selectman Maddox asked if there was a bid spec. Selectman Cole said yes. Selectman Maddox said the Town still doesn't own the land they are about to move the station to. Selectman Cole said that's not the long pole in this tent. They can buy that from the State. He's sure they'd love to get rid of it for \$5,000. The Town can restore it and put it somewhere else in Town, where it would be appropriate. Selectman Maddox said he still had grave reservations dealing with this whole thing. It's a case of looking a gift horse in the mouth and not being sure if it's dead or not.

Selectman Cole asked if there was any possibility of the Town's portion being paid by in-kind services. Mr. Sullivan said he would have to check. The Benson's Fund, which has been established—actually, a couple different funds—one, the Shepherd's Hill occupancy permits, that fund alone would likely fund this project. Selectman Maddox asked if this falls under historic preservation, and if they have to restore this to National Historic Register standards. Selectman Cole said the plan was to do that, as much as possible, back to its original condition—and that's what the price is based on.

The public hearing was opened at 9:10 p.m. Chairman Massey asked if anyone in the audience wished to speak on this.

Duane King, 23B Rangers Drive, Vice-Chairman of the Benson's Committee, said he wanted to elaborate a little more on the restoration of the train station. The Historical Structures Document, which the Selectmen had previously accepted, shows the train station being restored as known in June 1916, with one exception, that being ADA compliant. That's part of the terms for the grant. They would be adding a ramp on the exterior to meet ADA requirements. Chairman Massey thought a caveat to that was the foundation may or may not be the same type of foundation that was there previously. Mr. King said the original foundation was 10 granite blocks. He believed granite blocks would not have to be used, but to bring it to a correct engineering level to keep the building intact.

Chairman Massey closed the hearing at 9:12 p.m.

Selectman Maddox asked what the plan was that the Board of Selectmen had approved because he was new enough not to have seen it. Mr. King asked if he was referring to the Historical Structures Report. Selectman Maddox said probably and whatever else the Selectmen accepted. Mr. King believed there was a copy of the report upstairs in the Selectmen's Office. There were three documents—1) Haselton Barn; 2) Benson's kitchen; and 3) B & M train depot. The report was an evaluation of the building as it stands now and what it would take to restore it back to the way it was in 1916—slate roof, appropriate finish in the interior, chair rail finish, etc. Selectman Maddox said he's sure he can see the report, but he wanted to know what the plan was. Do they restore it in place and then move it? Selectman Cole didn't think there was that kind of a plan available. They were waiting to see if they got the grant. Secondly, three years ago, no one anticipated they'd still be talking about getting the land. Now that the grant is in and if the Board accepts it, the next step would be for the Benson's Committee to come back to the Board with a realistic recommendation of what should be done, either near term or long term, based on the Town's dealing with the State on Benson's. He recalled seeing a recent e-mail from Nancy Mayville that there may be some movement in that area. This station is an important part of Hudson's background and culture that they should do whatever possible to save.

Chairman Massey believed it would have to be moved before it could be restored. Mr. King agreed, saying if for nothing else, the massive 1" thick slate roof would prevent them from moving it. Selectman Cole said it may be a two or three step process. They may have to move it to one place for something to be done, then move it to another place for something else to be done. Selectman Maddox said he's not going to vote for this. He doesn't have enough information on what the original plan was. He'd like to see what today's cost are before he jumps into an unknown depth. Based on other cost estimates escalating quickly with DOT, he was too apprehensive to approve this with the information he has now. Selectman MacLean asked if they would still have the option not to do this project if it becomes too costly. Chairman Massey said that was correct, adding that he is a train buff and this is a beautiful

example of lost American heritage. It would be a shame to see it dismantled. He thinks there are enough protections on what it would cost to do this, regardless of whether it's located where the current plan envisioned it would be or if they pick another place. They might want to put it someplace else because it is such a beautiful structure.

Motion by Selectman Cole, seconded by Selectman Stewart, to accept the Transportation Enhancement Grant award in the amount of \$205,179 to relocate and restore the former Hudson train depot, carried 4-1. Selectman Maddox voted in opposition.

E. Acceptance of a \$1,000 donation from Wal-Mart to the Police Department's Animal Control Division

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

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Terry Stewart wanted to publicly thank Priscilla Boisvert for writing the speech for the dedication of the Ann Seabury Community Room and Rick Maddox for reading it for her. She wished Happy Birthday to her good friend, Carla Anger.

The new floor at the Community Center looks incredible. The residents of Hudson will be pleased when they see it. She thanked DPW for the beautiful decorations at Library Park. They are awesome. Friday, the Fire Department will be picking up Santa to go to Library Park, then everyone goes to the Community Center. The kids have hot cocoa, meet Santa and do crafts.

Rick Maddox said it is Birthday Week for the Vice Chair, so he congratulated her. She didn't go on the full tour, but came to the Selectmen's meeting tonight instead.

Secondly, he thanked the Highway Department. The trailer that they have been using for 20 years was getting a little worn and tired. Rather than request \$50,000 to replace it, Kevin and his crew stripped it down, rebuilt and repainted it, spending a tenth of the cost of a new one to give the old one another 10-15 more years of life.

A number of people took time to e-mail or call him on the Board's recent decision to fund charities. He respects Selectman MacLean's position, but thinks it was shortsighted for her to vote against the entire budget. It seemed a little draconian, but that is her right. If they all voted against the budget because of something they didn't like, they would always be stymied. Although these are classified as "charitable," they are actually services that the Town needs in order to provide for the citizens. These were service organizations that provides services to the citizens of Hudson—elder care, counseling, Red Cross, etc. It was money well spent. Supporting people who may be down on their luck is the right thing to do.

On December 7, at 7:00 p.m., the Planning Board will be meeting at the Community Center for the master plan. Green Meadow will also be presented to the Planning Board, in a slightly expanded mode. It's important that the Planning Board gets input from the citizens of what the Town. Copies of the master plan are available at the Library, and it is on line at the NRPC web site.

Kathleen MacLean said this time of year brings to mind the blessings for which they are all grateful. She counts among her blessings the opportunity to serve and represent the people of Hudson and for that she is truly grateful. Last year she paraphrased her favorite quote, which she did again this year: "We shall become truly a thankful people when we weep, not because we've lost something, but because we've been given so much." She wished everyone a blessed Thanksgiving.

Bill Cole didn't have any remarks at this time.

Ken Massey wished Selectman Stewart Happy Birthday on Friday, telling her to enjoy a lot of margaritas and parrot-head paraphernalia. Every season, you can see that the Hudson Highway Department is dedicated to making the Town a beautiful place. What you see on Library Park is a testament to their interest and dedication. He thanked Kevin and his crew.

Budget hearing are upon them. The Town goes first this year. The first meeting will be Monday, the 28th. He invited any and all citizens who are interested in what the Town is spending to come out and observe. When they see and hear what's done, they have an opportunity later in January to come to the public hearings and make their views known publicly at that point in time.

(Start Tape 3-B)

10. NONPUBLIC SESSION

Motion by Selectman Stewart, seconded by Selectman Cole, to enter Nonpublic Session pursuant to 91-A:3 II (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community; (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled carried 5-0 by roll call vote Nonpublic Session was entered into at 9:30 p.m. and was terminated at 10:07 p.m.

Motion by Selectman Cole, seconded by Selectman Stewart, to seal the nonpublic session minutes carried 5-0.

11. **ADJOURNMENT**

Motion by Selectman MacLean, seconded by Selectman Stewart, to adjourn at 10:08 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