

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the September 13, 2005 Meeting**

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

*Motion by Selectman MacLean, seconded by Selectman Cole, to enter Nonpublic Session pursuant to RSA 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 and (b) the hiring of any person as a public employee, carried 4-1 by roll call vote.* Selectman Maddox voted in opposition. Nonpublic Session was entered into at 6:31 p.m. and was terminated at 7:19 p.m.

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

*Motion by Selectman Stewart, seconded by Selectman Cole, to hire Pamela Bisbing as the part-time Water Utility Clerk at Step 4, \$14.81 per hour, in accordance with the Administrative and Support Union Contract, with a work schedule of 8:00 a.m. to 2:30 p.m., effective October 2, 2005, as recommended by the Finance Director, carried 3-2.* Selectmen MacLean and Maddox voted in opposition.

2. **PLEDGE OF ALLEGIANCE** was led by Selectman Kathleen MacLean.

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; Jim Michaud, Assessor; Sean Sullivan, Director of Community Development; Fire Chief Shawn Murray; Steve Williams and Kerrie Diers from Nashua Regional Planning Commission; Mike O'Keefe, Cable Committee; Gerald Coogan, Grant Coordinator; Joe MacLean; Howard Dilworth, Jr; and Leo Bernard

**Presentation of Longevity Awards**

- 1) Barbara Locke, Deputy Town Clerk, 20 Years (Certificate and \$50), was not in attendance.
- 2) Jim Michaud, Assessor, was present to accept his 10-year certificate.

Chairman Massey praised these two employees, thanking them for their hard work, dedication and commitment to excellence in serving the residents of Hudson.

4. **PUBLIC INPUT**

Chairman Massey asked if anyone in the audience wished to address the Board on any issue at this time.

**Kevin Senna, 3 Ridgewood Drive**, spoke in opposition to a block party that was being planned for his street, adding that he didn't even know about it until yesterday. He has a terminal illness and wanted peace and quiet, adding that other people are opposed to it, too.

**Tracy Gagnon, 2 Woodridge Drive**, said she is the one holding the block party, which will be located at the opposite end of the street from Mr. Senna's house. It's a cookout with hamburgers and a party for the kids, including hay rides. It is going to be quiet, nothing rowdy. She just wants to get to know her neighbors better, one of whom was with her. There are 14 houses on the street, and at least 12 have given their approval to hold the party. She didn't collect signatures because that wasn't a requirement.

5. **NOMINATIONS & APPOINTMENTS**

6. **CONSENT ITEMS**

Chairman Massey asked if any Board member wished to remove any item(s) for separate consideration. Selectman MacLean asked to remove C-2. *Motion by Selectman MacLean, seconded by Selectman Cole, to receive the consent items, 6 A-E, with the exception of C-2, as noted or appropriate, carried 5-0.*

A. **Assessing Items**

- 1) 2004 Abatement, 6 Wentworth Drive, w/recommendation to approve
- 2) Yield Tax Warrant & Certification of Yield Tax Assessed (Map 124/Lot 015) w/recommendation to sign

B. **Sewer/Water Items**

C. **Licenses and Permits**

- 1) Block Party Permit for Mike Girouard on Richman Road for October 8, 2005, Noon to 10:00 p.m.
- 2) **Block Party Permit for Tracy Gagnon on Woodridge Drive for September 24, 4:00-11:00 p.m.**

Selectman MacLean asked if Mr. Senna's main concern was getting in and out of his home. Mr. Senna said he just wants peace and quiet. His street is going to be blocked from one end to the other and he wants to be able to get in and out of his street, as do his neighbors at 5 Ridgewood Drive. Relative to a majority vote, he was never asked. Selectman MacLean said her concern was safety, that emergency vehicles have access to that street. (Talking over each other.) She didn't think that people would be trapped on that street all day long, without being able to come and go at will. Selectman Stewart asked what address the party would be at. Ms. Gagnon said it would probably be in front of 8 Woodridge; Mr. Senna's house is at the other end of the street and he would be able to come and go easily. The area where the party is will have a barricade, but there would be only about 20 people, and the houses are far apart. She could move it down even farther, if necessary.

*Motion by Selectman MacLean, seconded by Selectman Stewart, to grant the block party permit to Tracy Gagnon on Woodridge Drive for September 24, from 4:00-11:00 p.m. carried unanimously.*

- 3) Request by American Legion Post 48 to display signage from Oct 1-Nov 3, 2005, advertising Annual Haunted House, referred to Road Agent for proper placement

**D. Acceptance of Minutes**

Board of Selectmen's Meeting of August 23, 2005 (referred to file)

**E. Calendar**

9/14 7:00 Planning Board in CD Meeting Room  
9/15 7:30 Budget Committee in BOS Meeting Room  
9/17 9:00 – 12:00 Noon, Benson's Cleanup Day  
9/19 7:00 Public Hearing on NH DOT's 10-Year Plan at Hudson Community Center (former Lions Hall)  
9/19 6:30 School Board in BOS Meeting Room  
9/19 7:00 Conservation Commission in CD Meeting Room  
9/20 7:00 Cable Utility Committee in BOS Meeting Room  
9/21 5:00 Water Utility Committee in CD Meeting Room  
9/21 6:00 Library Trustees in BOS Meeting Room  
9/22 1:00 Trustees of the Trust Funds  
9/22 7:00 Lower Merrimack River Committee, NRPC  
9/22 7:00 Open Space Committee in BOS Meeting Room  
9/22 7:30 ZBA in CD Meeting Room  
9/27 7:00 Board of Selectmen in BOS Meeting Room  
9/28 7:00 Planning Board in CD Meeting Room

**7. OLD BUSINESS**

**A. Merrimack Valley Regional Water District**

Town Administrator Steve Malizia said the Board has been referring this for a year or two, based on a lack of real reason to join. It has been deferred to a date specific just to keep this issue visible, in case something changes.

Motion by Selectman MacLean, seconded by Selectman Stewart, to defer action until the first meeting in April 2006, carried 5-0.

**B. Cable Technical Support and Operations Services**

Selectman liaison Kathleen MacLean said the Board wanted to revisit the cable contract at this time so they could observe how it worked. Committee Chairman Mike O'Keefe said the Selectmen wanted to review the contract at this point, and he was present to answer any questions. Selectman Stewart asked why the July report was a month late and the August report was two days late. Mr. O'Keefe was not aware of the reason. Chairman Massey said August 10 was a Saturday, so the report received on Monday, the 12<sup>th</sup> couldn't be considered late. Selectman Stewart said she found both of the reports to be totally unacceptable. Selectman Cole asked why this item was even on the agenda. Chairman Massey said because when the contract was awarded in June, the Board voted to review the Cable Utility operations and the service provider at this meeting to determine whether or not to continue with the contract or to terminate it. Selectman Cole asked if their purpose tonight was to keep their current consultant hired or not. Chairman Massey said that was correct. Selectman MacLean said not just that, but to maybe get a new contract because some of the Board members didn't like the wording of the old contract, but they were in the minority. Chairman Massey said they have a contract and the issue is whether or not the individual that was hired under this contract should continue, or whether the Board wants to remove him. Selectman Cole asked Selectman MacLean what her recommendation was. Selectman MacLean didn't think this was being revisited on the sole basis of the provider. She thought it was being revisited to see how the contract was working in the context of their needs with the new Cable Utility Committee being finally in charge, as of July 1. Her recommendation is to scrub this contract and that it be revisited and reworded and put out for rehiring in a different context; Plan B, which is ready for presentation at the Board's will. Selectman Cole said he didn't have any idea what she was talking about. He asked what they were trying to do tonight with regard to Coleman Kelly, who is currently on the payroll as the Town's consultant to the Cable Committee and to the access channels. Selectman MacLean said that was exactly what they were trying to do, to give him notice that the contract will be null and void in 60 days. Technically, according to the contract, they don't even need a reason to do it; it's at the will of the Board to give the contract 60 days, and it's done. That's what they are doing. Selectman Cole asked if she was going to make a motion to void the current contract with Mr. Kelly. Selectman MacLean said he would get a 60-day notice that the contract will be up and, at the end of that 60 days, they would have a new contract to offer to anybody, including Mr. Kelly. Selectman Cole asked if it was her recommendation that Mr. Kelly's performance has been unsatisfactory to date. Selectman MacLean said in looking at the time sheets he submitted, yes.

Chairman Massey asked if that was the Cable Utility Committee's assessment. Mr. O'Keefe said he can't speak for the committee at this point because they haven't had a chance to review the time sheets that just came in yesterday. There is an additional report they were hoping to receive, as well, which they haven't received yet. Chairman Massey said the committee has had two and a half months to observe what was going on so, other than the fact that the individual's time sheets have not been submitted in a timely fashion, he wondered if the Committee's opinion would be the same as Selectman MacLean's—that the contract should be voided. Mr. O'Keefe said he was not comfortable speaking for the whole committee because they haven't met to specifically discuss that issue. He is not satisfied with the time sheets and the indication of what work was done. In general, the service provided has been OK, but he didn't want to speak for the whole committee. Chairman Massey asked if he felt there has been more activity taking place in the cable operations since July—more programming, more outreach programs. Mr. O'Keefe said absolutely, but a lot of that is because of the efforts of the Cable Utility Committee. There has been more programming and they had a big presence at Old Home Days. Overall, the system has improved since July 1.

Motion by Selectman MacLean, seconded by Selectman Maddox, that the current Hudson Community Television Technical Support and Operations Services Contract be given its 60-day notice, effective today.

Selectman Cole said this was a travesty. He knew exactly why this was on tonight's agenda, but this Board refused to come up with a set of standards for Mr. Kelly to either adhere to or not adhere to. They purposely avoided coming up with a baseline that he could either satisfactorily accomplish or not. So, here they are, ready to terminate his contract without any real reason, other than the time sheets, which are meaningless. The explanation the Chairman of the Cable Committee gave that his committee hasn't talked about this is totally ludicrous. Quite honestly, what else do they have to talk about? They knew this was coming. Didn't they sit down and decide what its recommendation would be, if asked, with regard to Mr. Kelly? He finds that to be ludicrous and distasteful. Whether or not he happens to think Mr. Kelly has done an outstanding job or whether he is an acquired taste, is immaterial. This Board did not set up a standard for any individual to either adhere to or fail to adhere to. To void his contract is ridiculous and disgraceful.

Selectman MacLean found it distasteful that Selectman Cole would say they purposefully avoided taking action on this because they have discussed it. This has nothing to do with the contractor; it is the contract that she feels the majority of the Board is not satisfied with. That's why she is going to vote to terminate it. Selectman Maddox agreed with Selectman Cole inasmuch as they didn't give any type of criteria, which he said the night the majority of the Board approved the contract. He had said that without giving some sort of criteria, they were going to have this very discussion. The only metric he can go by is the appendix that says the Library Trustees should have been televised after July 1. Has the Conservation Commission been done? He doesn't have cable, so he can't form an opinion on what he sees, but there are things in the contract that can be measured. It's time to move this contract and get a better contract at the next round. Selectman Stewart said the time sheets indicates that on August 5<sup>th</sup>, the contractor went en route to Wilmington, MA. She asked what the purpose was for those six hours. Mr. O'Keefe said Crimson is an equipment vendor. His guess is that he went to either pick up or drop off equipment at that location. The six and a half hours covers a whole block of activities.

Selectman Cole said if the issue is a new contract, a new format, he has no problem with restructuring the contract, but he didn't see the linkage between a new contract and Mr. Kelly's employment as the consultant. He would think a new contract, if and when it becomes available, Mr. Kelly should have the first right of refusal, if he wants to continue working, as opposed to a new contract automatically triggering the hiring process. That takes them back to his performance and there being absolutely no metric to gauge his performance because this Board valiantly ignored setting up a baseline by which to judge Mr. Kelly's performance. He asked each of them to consider what it is they are voting on. He'd support revisiting the language of the contract, but there is no reason for Mr. Kelly's employment to be terminated. He received no information from the liaison to the Cable Committee, the Chairman of the Cable Committee or the Board why they should terminate Mr. Kelly's employment with the Town. Selectman MacLean said every time the subject has come up, she has said she would be basing her opinion on what they are paying for. Now that she has the time sheets in front of her, she can see that they are not getting what they are paying for. There are a lot of things on there, such as conversations with people they are paying for, that they should not be paying for, and that's what she is basing her decision on. If they terminate the contract to look at a new one, yes, he would be terminated because the contract is terminated, but that is the way it will have to be. Possibly, he will get rehired, but they will have to set some new standards.

Chairman Massey said he believed the reason they reconstituted the Cable Utility Committee in the form they did was to provide a much greater oversight on what the cable operations were going to be and how it would be managed. One of the things the Board established at that point is that the service provider's work would be monitored by the Cable Utility. They only received the time sheets for July today, but the Cable Utility Committee still has the ability to review those time sheets and on the basis of what the job consists of to either accept or reject any and all items on the time sheets. If there are things on the time sheets that should not be paid, that is a recommendation the committee can make to the Board. He thinks they are in the same boat now that they were then. He agreed with Selectman Cole in that, as a Board, they did not have specific enough criteria that they could say yea or nay tonight to the service provider. There is more going on in the operations of the Cable Utility now than there were then. There are some issues that need to be worked with the service provider, but he doesn't see that it rises to the level that they are talking about—terminating his services. Selectman MacLean said the Chairman misspoke because the Cable Utility is set up that the Chairman of the Cable Utility reviews the time sheets and signs off on them. It's not a function of the committee to vote on. She and the Chairman of the Committee sat down today and went through the time sheets, line by line. Chairman Massey said if there were things they thought did not rise to the level of reimbursement, she would make that recommendation to the Board. On the motion to exercise the Town's option under Section IV, Term, sub-section, Early Termination, he asked for the vote:

*Vote: Motion carried 3-2.* Selectmen Cole and Massey voted in opposition.

Chairman Massey said this was a sad day. They were doing a disservice to the Town. The 60-day notice starts today. Selectman Maddox said his opinion hasn't changed from what it was originally, that it should have been broken up into two parts. In fact, he asked Chairman Massey several times to put together a metric, but it never got done, so that falls on the Chairman's shoulders. Chairman Massey said it may fall on his shoulders, but once the Board voted to accept the contract, it was the Board's decision and no member of that Board should be voting on an issue that doesn't relate directly to the contract. The fact that Selectman Maddox is voting on the basis that it isn't his idea of what a contract should be is the wrong way to vote, and it was wrong to vote in favor of the motion. Selectman Maddox said they agree to disagree. Chairman Massey said the same goes for Selectman MacLean. She voted solely on the basis that she does not agree with the contract, which was approved by the Board.

Selectman Cole said having now voted to terminate the contract and the services of the consultant in 60 days, he asked what the plan was so the screen does not go black in 60 days. Selectman MacLean said Plan B is already on the table, ready to go. It breaks down the job into more than one person and a much better deal for the cable users. There was a lot she could say in response to some things that were not correctly said, but she would just let that go for now. Chairman Massey asked when the Cable Utility Committee and the liaison would be prepared to bring the recommendation to the Board. Mr. O'Keefe said when

the Selectmen were initially discussing the contract, they requested the committee to come up with a job description for this, which they have already done. That could be used as is, or they could take it back to the committee. Selectman MacLean said it would be ready by the next meeting, September 27. Mike agreed, saying that when they were initially discussing the first contract that he is committed to keeping the access channels on the air, regardless of whether or not there is a contract in place. There are people on the committee who can do that in the interim. They would step up to make it happen. Chairman Massey asked if that answered Selectman Cole's question. Selectman Cole said no, but he would wait until the next meeting. He didn't think that either Mike or Kathleen has an answer to the question this evening. Chairman Massey said it would behoove them if Selectman Cole thinks there is something they should be doing that he put it on the table tonight, so they don't end up spinning their wheels at the next meeting. Selectman Cole said he'd simply like to know what the plan is to have someone in charge 60 days from now. When are they going to be hiring? What are the dates? What is the timeline? What are they going to do? What is Plan B? He doesn't want to be the only one who doesn't know.

(Start Tape 2-B)

Selectman MacLean said the timeline, etc. is something for the Board to decide. It's the Board that hires this person. The description was in one of their packets awhile ago, so she can give that to him again. It can be in the Board's mailboxes by the end of the week. Selectman Cole said OK, that was fine. He asked when they would post for the job. Selectman MacLean said when the Board decides they want to post for it. Selectman Cole said the next meeting is 14 days away and suggested they have a special meeting to take up that item. Hiring for that job won't happen overnight. Selectman MacLean said the Cable Committee meets next Tuesday. They could do it at that time. Selectman Cole said it doesn't have to be next Tuesday; it could be Sunday or Monday. Selectman MacLean said it's the will of the Board. Selectman Maddox said there are a lot more important things the Board needs to deal with than having a special meeting for this contract. Selectman Cole said they could always put other items on the agenda. Selectman MacLean didn't think 14 days out of 60 was a huge chunk of time. Selectman Maddox couldn't understand the rush. Selectman Stewart said she didn't mind waiting until the 27<sup>th</sup>. Chairman Massey said the charge is clear. The Cable Utility Committee and the liaison would be bringing a plan to the Board on September 27 that would describe what and how they would continue operating after the 60-day period is up, complete with what Selectman Cole stated—hiring plans, structural changes, etc. Selectman MacLean thanked Mike O'Keefe.

**C. Riverwalk Project Update/Proposal**

Sean Sullivan, Community Development Director, said his letter to the Town Administrator that was in the Board's packet, he outlined four steps that the Community Development was prepared to take to ensure the Riverwalk project comes to fruition. The first recommendation is that at the end of the poison ivy-allergy season, or not later than the end of November, he would walk the property with the Civil Engineer and Town Engineer. He attempted to walk the property this summer, but the slope was pretty steep and the growth pretty heavy in the particular area he had attempted to walk. After they walk the property, they would spend some time this winter laying out the plan on the riverbanks, using the GIS system and Assessor's maps. They would then determine the scope of services—width of path, labor needed, pruning, removal of trees, etc.)—and then come back to the Board and seek assistance from NRPC to apply for a Transportation Enhancement Grant from NH DOT. The next grant round would be September 2006. Steve Williams recommended that the Town prepare the plan itself and the Town would have to come up with a 20% match. An option for funding is the budget, working with the Town Administrator and Finance Director to fine-tune the 20% match. The Engineering Department has bought a new GPS device that will help them plot out the exact location of the proposed Riverwalk. Mr. Sommers also has the latest copy of auto-CAD on his system. If they are able to, in-house, the goal would be to put a plan together sufficient enough for NRPC to submit as part of the grant application. If the plan requires more detail, time and engineering than the Town can provide, outside consultants may be needed. The goal is to have the plan ready to go, with the funding option pretty much set by this time next year.

Selectman Stewart thought that someone from NRPC, perhaps Betsy, had already mapped out preliminary access. Mr. Sullivan said there were some things already in the file. Steve Williams, Executive Director of NRPC, was recognized and said two summers ago, Betsy Hahn worked with Community Development and the Town Engineer to research the records and identify the properties and easements that had been set aside for the riverwalk, to go out and walk those and look at establishing an actual path that could be followed on available land. She did a lot of the preliminary work, both with the property record and also some of the field work. NRPC would be happy to provide those records to the Town and would also supplement the Town's efforts in any way they can. Selectman Stewart said this has been one her pet projects since she came on the Board and would like to be included in walking the property. She knows the land, including the location of the steep slopes, since she walks it often. Mr. Sullivan said he would let her know when the walk is scheduled.

Selectman Maddox said he, too, took the tour with Betsy. He thinks they are making a very large mountain out of a very small mole hill. If he can walk it, it shouldn't be too bad. This is a case for an Eagle Scout project. Waiting until 2008 to get a grant seems to be a colossal waste of effort when there are probably some townspeople who would like to get this thing going. He didn't see the need for a land bridge or anything. They walked from the Exit 2 bridge, all the way down almost to the pump station. He didn't know how much of that was following what they have for an easement, but maybe they need to back up to see if they can do this on a much shorter dollar value and not wait for a grant. Mr. Sullivan said a path may be more realistic, but he went into Nashua today and noticed the Riverwalk on that side of the bridge, which is about 20' wide and interlocked to large stones. He didn't envision that Hudson wanted that, in the short term, other than access along the river. He went down right between the two properties they just created easements for, but he never reached the bottom because he would have rolled. If he went down where the bridge began, it would probably have been wider and flatter. Do they want just a path, or something that is five or 10' with a shelf and a rip-rap edge and then the water, paved or graveled. There are a host of options out there. They would make this a simple project with a chain saw and a few rakes, or they can get more elaborate. If pedestrian access is the goal for the short term, just to have something flat to walk on, they could do that. Selectman Maddox said once they have something accomplished, then success can go from there. To build a 20' wide "yellow-brick-road" doesn't make sense. He wanted to get, at

least, a path where people can start to walk that and if there is that kind of effort, maybe that Boy Scout or group of people in Town will then want to widen it and do more improvements. He thinks they should have a path next year. Chairman Massey asked if the Board had any direction for Mr. Sullivan. Selectman Stewart said to go forward. Chairman Massey said he heard two things—a long term plan and a short term plan to get it off and running by Spring of next year.

*Motion by Selectman Maddox, seconded by Selectman Stewart, to direct the Community Development Department, along with possibly Highway, under the director of the Town Administrator, to work out a three-phase plan—a clearly delineated path from Point A to Point B: pricing to increase it to a flatter, paved or graveled path; and then for the granting to implement that.*

Selectman MacLean said while they are working on the path, she hoped they could still be working towards the more elaborate option. Mr. Sullivan said they will still go forward with the grant application, which they hoped would be ready for next year. Selectman Maddox said that was his plan, which he probably didn't articulate as well as he should have. Selectman Cole asked how far it was from Point A to Point B, as the walk is currently configured. Mr. Sullivan thought they were talking about a mile along the river. Selectman Cole asked if the Town has access to the entire strip. Mr. Sullivan said with the acquisition with the two easements, they have access to the river up to a mile upstream. Selectman Cole asked if that could be confirmed. Mr. Sullivan said that would be done, which was critical. Selectman Cole asked why a plan wasn't already in place, why some of this wasn't already done, just waiting for the acquisitions to happen. This has been around for years and he wondered why they were suddenly trying to come up with a plan. Selectman Stewart said she has frequently e-mailed Mr. Sullivan on this subject. Selectman Cole said he wasn't trying to assess blame, but it seems they are playing catch-up. The draft of the grant could already have been written up. Chairman Massey said one of the reasons they weren't in a position to do a plan is because they did not have access to those two parcels, so there was a potential trespassing issue. Selectman Cole asked if they asked for permission to go on the properties, prior to getting the easements. Selectman Stewart said yes and they were told no.

*Vote: Motion carried 5-0.* Chairman Massey said he looks forward to taking that first walk.

## **8. NEW BUSINESS**

### **A. NRPC with Steve Williams, Executive Director and Kerrie Diers, Assistant Director**

Steve Williams, Executive Director for NRPC and the Assistant Director, Kerrie Diers. Mr. Williams said he wanted to be on tonight's agenda to talk to the Board about a couple of things, including introducing the Assistant Director, Kerrie Diers, who comes to NRPC well-qualified with an extensive planning background, and who is working on the finishing stages of Hudson's Master Plan. Kerrie will be taking over providing services to member local governments. Ms. Diers said one of her primary duties is the land use program and she is also in charge of the environmental programs. One of her main goals is to focus on training for both professional planners, Planning Board members and other land use members. Being prepared and up to speed on the latest laws, cases, and best practices is important. She has developed a 10-week training course for professional trainers, which will be opened up in the Spring for municipal planners, for the State and she is working with the Office of Energy and Planning to do a Planning Board training manual, much like the ZBA's, which she hopes to start using in January. She is also focusing on the services NRPC provides, such as the Town's Master Plan. They are also going to be doing a lot more of the facilitation and providing assistance that way to communities. If there are issues the Town feels are important, or additional training or research needs to be done, let her know. She is looking for opportunities to work with communities and further their interests. Selectman Maddox believes NRPC is a resource the Town should take advantage of. Towns do not need to reinvent the wheel. Any training they can get at the Planning Board level would be greatly appreciated. They are dedicated, hard-working people, who may not be up to date on the laws, etc., so a training program they can start facilitating in the Town is greatly appreciated. Selectman Cole asked how many regional planning commissions there are in the State. Mr. Williams said nine.

Mr. Williams said whenever he goes to a community, he likes to have something in-hand, one of which is his favorite—maps. They are extremely proud of their abilities in the area of geographic information systems. They have been active in working with Hudson. This year, they produced a standardized map set, which he distributed to the Board. One map shows the streets, roads and Town facilities; one shows conserved lands and environmental features; one is existing land uses, based on some field work they did earlier this year; and one is a colored aerial photo of the Town of Hudson and surrounding areas that was shot in the fall of 2003. The NH DOT did a flight of this area of the region this spring, so they will be able to see the greatest amount of detail on the ground as part of the I-93 project. It is very high-resolution photography and they expect to have it available in about six months. The maps that were just handed out are available on their web site for downloading in a standard PDF format. They expect to be producing additional standardized maps like this in the future. If the Board has any suggestions for anything they'd like to see, they'd be happy to hear them. If the Board notices any problems on the maps, contact him or Kerrie, and they will fix them. Under State law, NRPC is required to produce a regional plan by October 2007. That will be a lot of work, but he is pleased to have the opportunity to do that because it will give NRPC and the people at the community level an opportunity to focus on the big picture issues, the strategic issues, with regard to where the NRPC region is going in the next 20 years, what the main issues are that are going to impact the region in the next 20 years, and how everyone will begin to address some of those issues. So, over the course of the next two years, NRPC will start to come out to the communities with some products that really aim at identifying what the trends are in the region, where the region is going and what might need to be done to address them. At the commission's meeting next Wednesday night, they are going to present an outline of the process they are hoping to follow and believe it is going to be an interesting and productive process. The first step in that process was a study that was recently completed, called *Our Region-wide Build-out Impact Study*. This study analyzes all of the 250,000 parcels in the region, identifies what could be built on those properties under existing policies, and then identifies what the impact on the region would be, if those properties were developed, as proposed. The impact would be the number of new children there would be in the region's schools, how much additional traffic would be on the roads, how much water would be needed to serve those new

developments, how much solid waste would be generated, and how many police and fire calls could be expected. It is an interesting report and will soon be posted on their web site. He encouraged the Town to provide their input to NRPC. They are interested to find out the Town's opinions on where they think the region is heading, what they think the most important issues are and how NRPC should be approaching them.

Selectman Maddox asked if NRPC's GIS was interchangeable with the Town's. Mr. Williams said it was and, in fact, they have been actively trading data back and forth and there is a great working relationship between NRPC and Town staff. Selectman Maddox said the Master Plan has been an ordeal for all of them, and now that this new person is on board, she is being given Hudson's Master Plan. Kerrie said she would be at the meeting on October 12. Selectman Maddox said they are going into a season of Law Lecture series and holidays. They probably won't see a finalized Master Plan until the first part of next year. Ms. Kiers said the Master Plan is on the web. The Planning Board provided input. That was updated. The only last thing that needs to be completed is a land use map that needs to be uploaded on the web. The newspaper inserts is in progress now for publication and a workshop, a public meeting, that will hopefully be held at the end of October.

(Start Tape 3-A)

Selectman Maddox asked if everything on the web site is up to date. Ms. Diers said it was. She thought the Board had already been notified of that. Selectman Maddox said staff may have been, but they don't meet until tomorrow night. He just wanted to everyone to know that with the upcoming budget season and other things, this project may roll into next year. Ms. Diers hoped not. Selectman Cole asked what the status was of commuter rail in the Nashua area. Mr. Williams said that very complex project is going very well. The consultant is working hard at fixing the various technical studies needed to complete the preliminary design and the environmental assessment. At the commission meeting this week, they are going to be introducing a piece of legislation that they need for an operating entity for the commuter rail system in NH and asking the commission to endorse that and to forward that to the communities and ask the 12-member NRPC communities to endorse that. They are actively working with Nashua, Manchester, Merrimack and Concord on a strategy to introduce this legislation and, hopefully, see it adopted this year. That is a key step in terms of actually getting commuter rail to be a reality. Nashua is working hard with a private developer that will be doing site development in the station site, which will be generating matching funds for the project. They are making slow, but steady progress. There hasn't been much in the paper recently because there haven't been many public meetings. They are still focusing on trying to get construction started in 2007 and operational in late 2008. Next Monday night, there is going to be a meeting here in Hudson by Executive Councilor Ray Wieczorek with regard to the 10-Year Plan. Mr. Williams will be participating in that, as well as some of the DOT staff and others who are supportive of the project that will give a report at that time. Chairman Massey thanked Mr. Williams and Ms. Diers for attending tonight's meeting.

**B. CDBG Administrative Actions**

Sean Sullivan, Community Development Director, and Gerry Coogan, Grant Administrator. Mr. Sullivan said the Board had endorsed a CDBG application to be made on behalf of Ottarnic Pond Cooperative. That application was submitted and has been awarded. Recently, they solicited bids for an engineering feasibility study. Three were received. The committee (comprised of Mr. Sullivan, the Town Engineer, the Grant Administrator, Jamie Paloquin and Lynn Booth of NH Community Loan Fund) met last week to review the bids and are making their recommendation tonight. Mr. Coogan introduced Mr. and Mrs. Paloquin, residents and members of the Ottarnic Park, which is a 30-unit manufactured housing park, adjacent to Ottarnic Pond. The grant was awarded, but there are some administrative detail to take care of first. This is a formality for anyone who gets a CDBG grant.

Motion by Selectman Cole, seconded by Selectman MacLean, to, henceforth, designate the Chairman of the Board of Selectmen as the Town of Hudson's Environmental Certifying Officer, for CDBG purposes.

Selectman Maddox said the Town has an environmental officer on staff, so why would the Chairman designated? He asked if the Chairman knows what 24CFR58.34 says, because he would be signing off that he agrees to that. Mr. Coogan said the CDBG people, with the Community Development Finance Authority, requires that the Chief Administrative Officer—in this case, the Board of Selectmen—be designated. Based on Mr. Coogan's recommendation that person has to make a finding that this project is exempt. There is a manual that says feasibility studies are exempt. The CFR referred to is that all CDBG projects have to go through this environmental review process. For feasibility studies, it is very straightforward and all you have to do is sign a piece of paper the says they are exempt, and another piece of paper sent in to CDFA. Selectman Maddox said the Chairman looks good in prison stripes. Chairman Massey said the motion says, "Chairman of the Board," not "Chairman Massey."

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

Mr. Coogan said the Financial Management is a plan that the CDFA people say the Town should adopt if they are going to be a CDBG grant recipient. All the communities he's worked with have adopted this standard form and is consistent with CDBG practices for the billing, receipt, deposit and expenditure of CDBG funds. The Code of Ethics is a standard form that the CDBG people require, that services should be acquired in a competitive manner, officers and employees should not participate in any decision in which they have a financial interest, conflict of interest or appearance should be avoided, effort should be made to recruit women or minority-owned businesses and all actions are public. The conflict of interest is a basic statement used for all CDBG grants. Chairman Massey said he recalled already approving these in the past. Mr. Malizia said no, they hadn't, otherwise they wouldn't be doing it again tonight. His recommendation was to adopt the items indicated by Mr. Coogan.

Motion by Selectman Stewart, seconded by Selectman MacLean, to adopt the CDBG Financial Management Plan, the CDBG Code of Ethics statement, and the CDBG Conflict of Interest statement.

Selectman MacLean said she would vote in favor of the motion because she didn't want to get in the way of this grant because she thought it was a great thing, but she wondered if under Code of Ethics, #4, should be updated. Hudson is an Equal

Opportunity Employer. If they are saying they are going to maximize free and open competition, but then state they are going to actively recruit woman/minority-owned businesses, she has a real problem with that. It doesn't sit well with her. Mr. Coogan said the intent is to encourage people to apply for or submit proposals for goods and services, but you still have to go through the competitive process, which means not necessarily the lowest bid, but the most responsive bid. This is a moot point, though, because they aren't going to be advertising for any more services. This is geared for construction grants. Selectman Stewart said this was a politically-correct-standard-form. Selectman MacLean said that's why she will sign it, but still thinks it is very odd.

*Vote: Motion carried 5-0.*

Selectman Cole asked where they stand on this project, having gone through all of the bureaucratic minutia. Mr. Coogan said they hoped to get a contract to the engineer next week. They hope to get the job done by mid-December to determine the economic, environmental and physical feasibility of hook on to the Town waste water treatment plant. After that, the Cooperative and the Town will work together to find out if they can work together to apply for an implementation grant, i.e., \$1/2 million to CDBG or some other source to actually implement the project. This is the first step. Selectman Cole asked, if all the tumbler fell in place, when the actual problem out there would be solved. Mr. Coogan said if everything fell into place, an application could be submitted in January and maybe work could start in summer of '06 with work completed by the fall—but that's an optimistic schedule. At the end of the project, which would probably be around December or January, they would have a public hearing where the engineer would present his recommendations and would receive public comment.

*Motion by Selectman Stewart, seconded by Selectman Cole, for a recess at 8:40 carried 5-0.* The meeting resumed at 8:50 p.m.

**C. Solid Waste Contract Extension**

Road Agent Kevin Burns said this July was the start of the second year of a two-year contract with Waste Management for solid waste collection and disposal. There is an option within that contract to extend the contract for a third year, at the Town's discretion, with no increase in pricing. With the way fuel is skyrocketing, he highly recommended exercising that option, which would give the Town, basically, six years of level-funding, which is very good. Chairman Massey asked if there was any reason why they couldn't have at least one of the landfill operations opened on a week night, as opposed to a weekend. Mr. Burns said the current contract states that it will be on Saturdays. In his 23 years in Town, the landfill has always been open on Saturdays. This is the first request he has ever heard to have it on a week night. He could investigate that possibility, if the Board wants him to. Right now, they are paid for six hours to work the landfill on a Saturday. He didn't know if they'd get the same bang for their buck if they did it on a week night. Chairman Massey thought that if the question was asked at this time, the contractor would want to reopen the contract, so perhaps at the next cycle, Kevin could see if that option is possible, probably during one of the summer months because of longer daylight hours. Selectman Stewart disagreed with the Chairman, saying when someone works all day long, the last thing they want to do is round up their pickup truck to haul it up to West Road. When they open the gate at 7:00 a.m. on Saturdays, there are 15, 20 vehicles already lined up. A lot of people plan their weekend around that 'event.' Chairman Massey said a lot of people work on Saturdays. Selectman Stewart doubted they would get the same volume on a week night, and there would be a lot of upset people that the dump wasn't opened on a Saturday that month. Mr. Burns said a lot of the stuff they receive at the landfill on Saturdays is available to be removed curbside. You are allowed one bulk item curbside. Selectman Stewart said people go to the dump for the social activity. Mr. Burns said campaigning used to be done there; Selectman Stewart remembered those days. Chairman Massey thanked Kevin and his men for all the work they do. This is an example of how they help make the Town be the Town it is. Selectman Stewart didn't want to ruin Kevin's night, but she asked if he has read the Farmer's Almanac yet. He said it doesn't look good and hopes they are wrong.

*Motion by Selectman Maddox, seconded by Selectman MacLean, to extend the existing solid waste contract from July 1, 06 through June 30, 07 with Waste Management of Londonderry in an amount not to exceed \$1,640,640, carried 5-0.*

**D. Acceptance of the Hillsborough County Incentive Fund Program**

Fire Chief Shawn Murray said he was asking the Board to accept the grant that was awarded to them by the Hillsborough County Incentive Fund Program in the amount of \$1,500. On July 12, the Board authorized the grant submission. This is a fire prevention grant, so the \$1,500 will be used to purchase educational props to go along with the Risk Watch program that the schools use. They no longer teach just fire safety in the schools; they teach a lot of safety programs, such as water safety, home safety, bicycle safety, etc., and in order to enhance the programs, they use props. This is a grant they apply for every year. Commissioner Rhona Charbonneau is always instrumental in notifying them when the grant is coming out and has worked over the years to get the funding, as well as the County Delegation that represents Hudson. Chairman Massey asked if they were going to have a catchy little name for it like the house. Chief Murray said not on this one; these will just be props like life preservers.

*Motion by Selectman Maddox, seconded by Selectman Cole, to accept the Hillsborough County Incentive Fund Grant in the amount of \$1,500, carried 5-0.*

**E. Town and School District Agreement**

Town Administrator Steve Malizia said he was given direction to contact the Town Attorney to begin the process of preparing an agreement for the Town and School to collaborate on a project to locate a house the Voc Tech students built to potentially place on Town-owned land located at 8 Pine Road. Under separate cover, he sent this to the Chairman of the School Board for their review and comment. There are still some blanks to be filled in, but this is the first draft of the proposed joint venture. Selectman Stewart said this was on the School Board's agenda last night. Mr. Malizia said research is still being done to make sure they can deliver a clean title on the property, which was taken by tax deed. The Board of Selectmen can dispose of tax-deeded property

either by sealed bid or public auction, so the property is eligible. He hasn't gotten any feedback from the School. Atty. Hodes prepared this draft for the Board's review. Selectman MacLean said previous discussions were done in nonpublic, so she wondered if the Town Administrator could update everyone so they would know what was going on. Mr. Malizia said this was something Selectman Stewart had brought to the Board, so he deferred to her. Selectman Stewart said this proves how well the School and the Town can work together in a short period of time, without the Joint Committee over their head. This was brought to the Board in Nonpublic in either April or May. Its first public airing was last night during the School Board meeting. She hasn't gotten any feed back on this, either. As soon as they get clear title, the Town is ready to go forward and the School is ready to go, from her understanding. They just want to make sure the i's are dotted and the t's are crossed. Mr. Malizia said the Voc Tech students at Alvirne have build homes as part of a curriculum project. In the past, those homes were sold; he's not sure of the method used. Someone would buy it and find a piece of land to put it on. The last one ended up on Ledge Road in Hudson. This idea is to maximize the investment made on the School project and get a piece of property the Town owns back on to the tax rolls. It is viewed to be a win-win situation. The whole genesis was in talking with the Chairman of the School Board—you've got a house; we've got land. Let's work together to bring extra revenue into the Town's coffers. That is pretty much the history behind this. For the Board of Selectmen, this is the first public airing.

Chairman Massey referred to #13. When he first saw this, he felt that the Town should be able to decide what the minimum price would be for the land, but after discussing it with Mr. Malizia, the Board won't sign it unless the price the School Department places as a minimum price would include what the Town expects as a minimum land value. Rather than clutter it up with additional language, the Town's protection is to sign the agreement if they like the price. He is sure the School will consider the Town's interest in the land and price the entire parcel accordingly. He asked if the Board wants to continue moving forward if they get the green light from the attorney that they can acquire clean title, or an insurable title. They can then sit down with the School District and come up with a price, then decide if it will be sold by auction or sealed bid. The consensus for moving forward was unanimous. Chairman Massey said he seconded Selectman Stewart's comments. When you have a specific task with a specific objective in mind, you can make things happen without a lot of external and/or additional activities to get it done. This is a good example of how the Town and the School District are going to have a win-win situation. Somebody is going to be able to buy a nice house that was built by the Voc Tech students at Alvirne on a piece of land that the Town owns. They will be able to turn some money over to the General Fund. This is the exact type of project he had in mind when they were talking about what a joint planning operation out to be—very specific and focused and clearly recognize what the final objective is. He stated to the Town Administrator that the objective was to move forward.

Selectman Cole said in the spirit of moving forward, Attorney Hodes talked about zoning issues. Mr. Malizia said he already checked, and the zoning is appropriate for this property.

**F. West Road Landfill, GZA Addendum #18**

Town Administrator Steve Malizia said Tom Sommers would normally bring this forward, but he had a situation at his home that he had to deal with tonight. This is the landfill that has been closed for many years and this is the monitoring efforts the Town must undertake. This is pretty routine; GZA has been doing this for the previous 17 addendums.

(Start Tape 3-B)

*Motion by Selectman MacLean, seconded by Selectman Cole, to approve GZA Addendum #18 for the West Road landfill monitoring program, carried 5-0*

**G. Weston & Sampson Engineering, Contract Amendment #1 to River Road & South Tank design services**

Chairman Massey said Town Engineer Tom Sommers had an emergency at home that he had to take care of, so he asked if the Board wanted to defer this item until the next meeting.

*Motion by Selectman Stewart, seconded by Selectman Cole, to defer this item until September 27, 2005 carried 5-0.*

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

**Kathleen MacLean** reminded everyone that Benson's cleanup is Saturday, September 17 from 9:00 – 2:00.

**Bill Cole** updated the Board on the upcoming Economic Development Conference. He and Sean Sullivan will be meeting with Brian Lane, Alvirne HS Principal, tomorrow afternoon to discuss the possible use of Alvirne and the Webb Palmer Technical facilities for the actual conference, which is tentatively scheduled for May 27, 2006. The next meeting of the conference Ad Hoc committee will be on September 29 at 3:00, probably at Town Hall, but maybe at Alvirne.

Little Engine #8 In reference to the new fire engine, AKA Little Engine #8, the pre-construction meeting was held on September 6 with the KME representatives. It's in their queue. They are projecting 280-300 days to delivery, which would be July '06 in a worse case scenario. The Fire Department anticipates making two visits down to the KME factory in PA, both of which are funded by KME—one at the mid-point of construction and one at the end for the factory acceptance testing.

Town's Fuel Consumption He has had a couple of informal discussions with department heads with regard to a painful subject--the price of gas. Painful individually and also painful for the Town of Hudson. It's time that the Board takes a look at the entire subject of gas usage and the projected cost of that gas, not only for this year but for the upcoming FY2007. Chairman Massey said the discussion the Board had during the budget cycle last year is coming home to roost. There was a significant push-back on the Board for upping the price from \$1.35 to \$1.50. At the time they talked about the pending price pressures. It would have made a difference had they been able to get the fuel



contingency plan budgeted for last year. When they go through the budgeting cycle this year, in addition to what they hear from department heads, they should also be looking at whether or not they, in fact, are going to need a separate line item for fuel contingencies for next year.

*Motion by Selectman Cole, seconded by Selectman Maddox, that the Town direct the Town Administrator, in coordination with department heads, assess the Town's projected usage for all fuel consumption by the Town of Hudson for the remainder of FY06 and report back to the Board of Selectmen at its 27 September meeting. Assessment should address, but not be limited to the following: 1) based on normal operational requirements, the projected funds expenditure by department for FY06; identify funding delta with regard to current departmental line item; 2) possible mitigation actions to be implemented by department; indicate any diminishing of department's ability to provide minimum level of service, as a result of implementation of any such action or actions; and 3) identify potential sources within the current FY06 budget or elsewhere, as appropriate, to fund any deltas between the budgeted amounts and anticipated actuals carried 5-0.*

Raymond Buckley. Continuing, Selectman Cole said a few weeks ago, there was an article in the Union Leader that attributed remarks to a Mr. Raymond Buckley, who is the State Democratic Vice-Chairman. In this article, it became apparent that Mr. Buckley not only insinuated but, in fact, actually accused Hudson's Chief of Police Dick Gendron of racism in the performance of his duty and in the performance of duty of his department. As a follow-up to that, the Chairman of the Board sent a letter to Mr. Buckley, calling him to task, with regard to his accusations against Chief Gendron. State Representative Renzullo submitted a letter to Governor Lynch, along the same lines, that was signed by a number of other State Reps who represent the Hudson area. Selectman Cole said he had been out of Town for several days and when he returned, he checked to see if any action had been taken with regard to the letter from Chairman Massey on behalf of the Board and the Town, or Rep. Renzullo's letter. Nothing jumped out at him in the newspapers or in his e-mail with regard to Mr. Buckley's response, other than something from Mr. Buckley in regards to another reporter—and he is paraphrasing—went on record as saying, "however, I could have been more careful with my words and I wasn't and I am sorry for that." That isn't much of an excuse. It appears that Mr. Buckley thinks that Chief Gendron and his department—and by extension, the Town of Hudson—committed to racism and Mr. Buckley just regrets the fact that he used words somebody actually recognized. Selectman Cole thinks Mr. Buckley knew exactly what he was doing; he didn't think Mr. Buckley accidentally used a word that denoted racism; he thinks Mr. Buckley is one of those racial arsonists, those bomb-throwers who has made an entire career, political and otherwise, of divisiveness. He wondered what the Town can do about this little pissant. The State Democratic party can deal with him any way they want; he happens to be blot on their membership, not on Selectman Cole. Back in his younger days on the streets where he was raised, they knew exactly how to deal with Mr. Buckley, but has he (Selectman Cole) has aged, he has gotten warm and fuzzy, but he is still left with wondering what to do with Mr. Buckley. He didn't know about the Board, but he'd like to wipe this sorry individual off the soles of his shoes as quickly as possible. Mr. Buckley has had more than his 15 allotted minutes of fame.

*Motion by Selectman Cole, seconded by Selectman Stewart, that effectively immediately, that the Board of Selectmen, on behalf of all residents and extended members of the Hudson community, declare State Democratic Vice Chairman Raymond Buckley as persona non grata within the confines and borders of the municipality of Hudson, New Hampshire.*

Selectman Stewart said as a bit of history and brief follow-up to Selectman Cole, Raymond Buckley is the gentleman who ran against Executive Councilor Ray Wiczorek. All she can say is thank goodness Mr. Wiczorek was re-elected as Hudson's Executive Councilor because she would not want this other person representing the Town of Hudson. Selectman MacLean said she almost prepared something in writing about this. She believes the Board actually got a copy of the letter. Her thought on the response that Hudson gave was that when somebody says something foolish, it's a reflection on them. If someone wants to say something to her, she doesn't want to even acknowledge it because it's so pathetic. It's no reflection on the Town's Chief of Police and it's not reflection on the Town. It's a reflection on this individual and his ways of behaving. She doesn't even want to acknowledge it. She asked if the motion meant that Mr. Buckley wasn't welcome in the Town of Hudson. Selectman Cole said Mr. Buckley wasn't welcome in Town and his presence, for any reason, is unacceptable. Selectman MacLean could decide for herself whether or not she wanted to welcome Mr. Buckley to this Town. Selectman MacLean said, politically speaking, she could understand what Selectman Cole was saying, adding that he still has some street smarts in him, but she wanted to rise about that. If Mr. Buckley wants to come to Hudson, she would welcome him because she's not going to lower herself to his level.

Chairman Massey said Thomas Jefferson once said, and he is paraphrasing, that all that requires for evil to exist or to continue is for good men to do nothing. When he first saw the editorial from the Union Leader, he was outraged, angry and all set to ask the Board to institute legal proceedings against this individual because, make no mistake about it, when somebody levels a charge of racism, they are accusing you of an action that is prohibited by federal and state law. For somebody to make that charge and not have the guts to back it up with either taking the charge to the NH Commission on Human Rights, or to issue a public apology to the Chief and the Town's citizens, shows this individual for what they really are. It is important to call this individual to task. He only wishes they could have gone down the path of legal proceedings, but unfortunately, the United States Supreme Court has ruled such that it would be very hard to bring this individual to any legal end. But having said that, the man doesn't even have the common decency to have a real apology. He writes a letter to the Town in which he basically says, "I could have used better words," but he never once denied he used the word "racist," and when Mr. Buckley had the opportunity from the Union Leader to clarify his remarks, he actually extended those remarks and was very explicit that this activity was racist. Chairman Massey wholeheartedly supported the motion. He thinks it should be published and thinks a letter should be sent to Mr. Buckley to let him know there may be other people in the State that aren't willing to call him to task, but the citizens of Hudson are certainly willing to do that.

Selectman Maddox said he was going to vote against the motion, partially because he agrees with Selectman MacLean, but he is going to take another tact. He'd like to invite Mr. Buckley to a meeting and ask him to explain where he made a mistake or were misquoted, or apologize right in front of the Board to the citizens and the Police Department, up close and personal. Saying not to come into Hudson is the wrong way to go, although he didn't disagree with all that has been said. However, one thing he'd like to clear up is that it keeps being

said Hudson's Police Department was "arresting" these people. None of them were arrested. They were issued a citation, much like a traffic ticket. He didn't think they need to say persona non grata. They need to see if Mr. Buckley has the guts to come down, sit in front of them, and explain himself and apologize for his actions. Selectman Cole said a pissant doesn't have any courage to start with and it certainly doesn't have a backbone. He asked for a roll call vote on the motion.

Vote: Motion carried 3-2. Selectmen Maddox and MacLean voted in opposition.

**Terry Stewart** said in looking at the Block Party Application, with reference to the permit issued earlier in the meeting, she feels there is room for improvement. She thought a two-week notice wasn't long enough and preferred to see a 30-day approval, prior to the event. It has to be approved by the Board of Selectmen 30 days prior to the event being held. She also thought that the form should include written approval by the abutters, as part of the backup. Chairman Massey said the Town Administrator could talk with the Police Department to see if it needs to be changed. Mr. Malizia said not everyone is going to come in in a timely manner because not everyone knows about this. Selectman Stewart thought written approval from a majority of the neighbors should also be part of the backup.

Combined Dispatch. On Sunday at the 9-11 service, Selectman Cole asked her for an update on combined dispatch. She received e-mails from both Chief Gendron and Chief Murray. Chief Gendron told her that the architect has been notified and is working on some preliminary plans. He hopes to be ready to meet with them (the Chiefs) in October. Once they meet with the architect, they will be meeting with Motorola to discuss the equipment needs; obtain pricing for the furniture for the budget process; work on plans for training and transition; and set up a schedule to visit other combined dispatch centers in So. NH and northern MA, inviting members of the Board of Selectmen and Budget Committee to go on the tours.

**Rick Maddox** said he had a jovial item. The Saturday before the long weekend, he watched the fire fighters shave their heads at the American Legion. They raised a lot of money and it made for some interesting photos in the paper. They tried to convince him, but he just gave his \$20 and ran.

Chamber of Commerce's After Hours Meeting was held in the Selectmen's Meeting Room, which was well attended. It was interesting, with different perspectives on the Town's needs and/or things they should be doing to help business. It was a very interesting meeting, well attended and, hopefully, those are the same people that Selectman Cole is working with towards his 2<sup>nd</sup> Annual—every 13<sup>th</sup> year—Economic Summit. He hoped they are able to do that more often.

**Ken Massey** said the NH DOT will be discussing the State's 10-Year Plan on Monday, September 19 at 7:00 p.m. at the Hudson Community Center. The citizens of Hudson will have the opportunity to weigh in on the State's 10-year highway plan. The meeting will be chaired by Executive Councilor Ray Wieczorek. Members from the DOT will be there. This will be an opportunity for people, not only to review what's in that 10-year plan, but to have an opportunity to voice their thoughts on what should or shouldn't be done. It would be an excellent opportunity for the citizens of Hudson to come out en masse and be very strong in their support that a third bridge across the Merrimack River would be something the Town of Hudson thinks they should and must have in their 10-year plan. Again, it's Monday, September 19, 7:00 p.m. at the Hudson Community Center.

NH Fire Academy Training Seminar On October 25 & 26, the NH Fire Academy will be conducting a training seminar on *Effective Communications*. He plans to attend and if anyone else would like to, they should contact Chief Murray to get on the agenda. It's 8:30 – 4:30 each day on October 25 & 26.

HPD Sub-Station at Wal-Mart Chairman Massey said one of the things that makes a town what it is is not only the people who live in it, but the businesses who make up part of the community. As a result, tonight he wanted to thank Wal-Mart in a very special way for working with the Police Department to relocate the sub-station that's in the Wal-Mart in the south end of Town to the front part of the store to make it much more visible than it was in the past when it was behind the service center, where you couldn't really see it. Kudos to Wal-Mart for, when they remodeled their store, they were willing to work with the Chief to make this happen. Thank you, Wal-Mart.

Emergency Preparedness Chairman Massey said hurricane Katrina really brought back to mind that every town should have an emergency preparedness plan. He was happy to report that the Town of Hudson has such a plan, but in light of hurricane Katrina, he has asked all of the members of the Emergency Management Committee to meet on October 12, the day after the Selectmen's first meeting in October, to look at the current plan and make any suggestions and/or comments on what, if anything, they need to do to improve upon it, if any improvements are needed. He wanted to assure the citizens of Hudson that there is an Emergency Management Plan. It is managed by the Emergency Management Director, which is the Fire Chief, and it's made up of the Police, Fire, Community Development, Highway Department, the Chairman of the Board of Selectmen and the Town Administrator, as the committee that oversees the implementation of the plan, if it ever has to be implemented. He is looking forward to October 12, when they can look at the plan and make any changes they think are required. He believes one area they are going to have to look at is the area on water supply. There may be some areas there where they would want to add some additional language. Also, he'd probably want to pick up on something that Selectman Stewart and he talked about on the phone a couple of days ago. It might be worthwhile to look at whether or not they could do some things among other places with the Community Center to make it so they could have made an offer to the Gulf region to house, on a temporary basis, but because of the sanitary facilities there, it would have been a very difficult situation. He thinks that might be something else they can look at as the outcome of hurricane Katrina.

(Start Tape 4-A)

Police Capt. Bill Pease Regretfully, the Board has received formal notification that Police Capt. Bill Pease will be retiring, effective Nov. 15. His retirement party will be at the King's Court on October 22 at 6:00 p.m. Tickets, through the Police Department, are \$30 per person. The Town has been very fortunate to have had men like Capt. Pease as part of the Police Department. Thanks to his leadership and his dedication, Hudson is now a nationally accredited police department. All the citizens have to do is reflect back, maybe 10, 15 years ago,

and certainly 20-25 years ago, and realize that the Town has made significant strides in providing a safe and secure community. He just wanted to say thanks to Capt. Pease tonight, in anticipation of his retirement because a large part of that was under his leadership that Hudson is now nationally accredited.

Birthday Wishes On a brighter note, Chairman Massey wished Selectman MacLean a very Happy Birthday.

**10. NONPUBLIC SESSION**

Motion by Selectman MacLean, seconded by Selectman Maddox, to enter Nonpublic Session pursuant to 91-A:3 II--(a) The dismissal, disciplining, promotion or compensation of a public employee, or the investigation of any charges against him, unless the employee requests an open meeting; (b) The hiring of a public employee; (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body, unless such person requests an open meeting; (d) Consideration of the acquisition, sale or lease of real or personal property; and (e) Consideration or negotiation of pending claims or litigation, carried 5-0 by roll call vote.

Nonpublic Session was entered into at 9:38 p.m. and was terminated at 11:50 p.m.

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

Motion to appoint Dave Morin as temporary acting Captain in the Hudson Fire Department, for a period of four months, effective September 18, 2005, at Step I, \$26.79 per hour, in accordance with the Hudson Supervisors Union by Selectman MacLean, seconded by Selectman Cole, carried 3-2. Selectmen Maddox and Stewart were opposed. Selectman Stewart said she felt that it would be best served if they rotated the qualified Lieutenants into the acting Captain's position to, possibly, get a good feel on the next promotion round. This is not directed to the individual. She feels they would be better served if they rotated the qualified Lieutenants—and that would also be her vote on the other motion.

Motion to appoint Allan Dube as temporary acting Lieutenant in the Hudson Fire Department, for a period of four months, effective September 18, 2005, at Step I, \$19.10 per hour, in accordance IAFF Local 3154 by Selectman Cole, seconded by Selectman MacLean, carried 3-2. Selectmen Maddox and Stewart voted in opposition. Selectman Maddox said he agreed with Selectman Stewart's comments on the previous motion. He would have liked to see this rotate through a shorter time and make it an evaluation.

Motion to appoint Toby Provencal as temporary acting fire fighter in the Hudson Fire Department, for a period of four months, effective September 18, 2005, at Step I, \$13.84 per hour, by Selectman Cole, seconded by Selectman MacLean, carried 5-0.

Motion to place the position of Appraisal Technician in the Local 1801 Administrative and Support Staff Union at Grade XII, effective September 18, 2005.

Motion to place Sally Jeglinski, part-time secretary in the Assessing department, into the position of Appraisal Technician, on a part-time basis, at Grade XII, Step 1 @ \$16.45 per hour, effective September 18, 2005.

**11. ADJOURNMENT**

Motion by Selectman Stewart, seconded by Selectman Maddox, to adjourn at 11:56 p.m. carried 5-0.

Recorded and transcribed by Priscilla Boisvert  
Executive Assistant

**HUDSON BOARD OF SELECTMEN**

\_\_\_\_\_  
Kenneth J. Massey, Chairman

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Teresa Stewart, Vice-Chairman

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William P. Cole, Selectman

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Kathleen R. MacLean, Selectman

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Richard J. Maddox, Selectman