

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the July 26, 2005 Meeting**

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

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

**Staff/Others:** Priscilla Boisvert, Executive Assistant; Shawn Murray, Fire Chief; Gary Rodgers, Deputy Fire Chief; Charlie Chalk, Deputy Fire Chief; Steve Dube, Fire Prevention Officer; David Yates, Recreation Director; Charles Brackett; Bill McInerney; Michael O'Keefe, Cable Utility Chairman and Leo Bernard, Vice Chair; Ken Briggs, Brox; Life Scout Matt Emanuelson and Scout Master Jeff Emanuelson; Ted Luszy and Howard Dilworth, Jr., Budget Committee members; Michael Quinlan and about a half dozen Ottarnic Ponc people.

**Awards and Certificates of Appreciation for Employee Longevity (20 years, \$50 each):**

**A. Claude Coulombe, Jr., Highway Department Foreman**

Chairman Massey stated that Claude started with the Town in 1985 as a mechanic. In 1999, he was promoted to Chief Mechanic. He is responsible for keeping the department's large fleet running, which includes purchasing replacement parts. Claude is also responsible for the maintenance of the facility, which was opened in 2000. The Highway Department recently went through an environmental audit and, thanks to Claude, received a perfect grade. In his time off, Claude enjoys fishing and he is an active member of the VFW. Unfortunately, he was unable to be present tonight.

**B. Steve Dube, Fire Prevention Officer**

Chairman Massey presented Steve with his certificate and \$50 check, saying that Steve has been with the Fire Department since 1980 and is the longest-serving member of the Fire Prevention office. His extensive knowledge of buildings, businesses, developments and fire alarm systems is of tremendous value to the department and to the Town. Fire prevention is not a measurable concept, for no one knows the numbers of fires prevented or lives saved because one faithful employee is committed to enforcing codes and identifying hazards. Steve is a, instructor for the NH Fire Academy. He is currently enrolled in several college courses to continue his education. Steve and his wife, Maria, have two children. Steve enjoys mountain biking, Bible reading and church activities and model trains.

4. **PUBLIC INPUT**

There was no response when Chairman Massey asked if anyone in the audience wished to address the Board on any issue at this time.

5. **NOMINATIONS AND APPOINTMENTS**

**Zoning Board of Adjustment** (two alternates, terms to expire 12/31/05 and 12/31/07)

- A. Bill McInerney**, who was at the last Selectmen's meeting, said he was still interested in becoming a member of this Board. He believed his background would benefit this board and the community. In these trying times, every one of us should make a contribution to their community and this is his way of doing that.

*Motion by Selectman Maddox, seconded by Selectman Stewart, to appoint Bill McInerney to the vacant alternate seat with a term expiration of December 31, 2005 carried 5-0.*

- B. Charlie Brackett** said he served on the ZBA for 15 years. Last month, he resigned because his work sent him to Seattle. However, that project was cancelled, so he is remaining in Hudson and would like to get back on the Board.

*Motion by Selectman Maddox, seconded by Selectman Stewart, to appoint Charlie Brackett to the vacant alternate seat with a term expiration of December 31, 2007 carried 5-0.*

6. **CONSENT ITEMS**

Chairman Massey asked if any Board member wished to remove any item(s) for separate consideration. Selectman Maddox questioned C-3, the truck request by Brox and asked if this was the first time this has come before the Board. Chairman Massey said no, it's a standard annual request. Selectman Stewart said they usually come in May, and want the permit for most of the summer months. Selectman Cole agreed, saying they usually come in for a block of time, but this is an isolated request. Selectman Maddox said the public notice has already been posted. He wondered if the request for eight vehicles meant eight vehicles going back and forth or a total of eight trucks throughout that time period. Ken Briggs said there will be eight trucks, total. They can't use a Jake brake, go over 25 mph on Greeley Street, etc. Selectman Maddox asked if it was eight trips total. Mr. Briggs said no, it was eight trucks hauling each one of those nights.

Selectman MacLean removed B-2.

Motion by Selectman Cole, seconded by Selectman Stewart, to receive consent items A, B-1 & 3, C-E, as noted or appropriate, carried 5-0.

**A. Assessing Items** (No items.)

**B. Sewer/Water Utility Items**

1) Sewer Acceptance—Waterview Landing/Shoreline Drive to approve, as recommended by the Sewer Utility Committee and Town staff

2) **Bonnie Heights Condos (meter size billing) to approve, as recommended by Water Utility and Town staff**

Selectman MacLean noted the options listed on Page 3 of the backup and wondered if the 16 units listed under Option 1 were also charged the \$11.94 fire charge. Chairman Massey said no. This was one of the Consumer Water carry-overs. When these units were built prior to 1998, they were installed with 1" meters to service their fire suppression systems, but because of the way they were installed, the fire suppression system isn't separate from the rest of the water. So, Consumers only charged them for the 5/8ths meter rate, but did not charge them for the fire suppression capabilities. This recommendation is to recognize that they do, in fact, do have a fire suppression service there, and to bill that as a separate fee. Selectman MacLean asked if only these four units had the fire suppression. Chairman Massey said no. All 20 units had the 1" meter, but at some point last summer when some of the meters started to fail, Pennichuck came in and replaced the 1" meter and reported that to the Water Utility. The Utility then noted that the records had to be updated and that's when they started billing everyone for the 1" meter rate. Selectman MacLean asked, if it was someone else's mistake, why are they being extra for the fire service if all the other units are receiving fire service but not being charged the extra \$11.94. Chairman Massey said they are all being charged the 5/8" rate of \$10.69. Four of them had their meters changed, then they got billed \$32.91. The recommendation is that in recognition that they all have 1" meters in order to service their fire suppression rates and because the way the pipes are running, it would not be feasible to separate the fire suppression pipes from the regular rate. Selectman MacLean said the four units in question were being charged more than the other 16 units. Chairman Massey said if the Board accepts the Water Utility's recommendations, all 20 units will be charged the 5/8's meter rate, Option 3.

Motion by Selectman MacLean, seconded by Selectman Cole, to accept the Water Utility's recommendation to, effective August 1, 2005, the monthly water billing for each unit at Bonnie Heights Condominium be set at 5/8's meter rate of \$10.69 a month, plus a fire service fee of \$11.94 and, secondly, that units 11, 12, 23 & 24, which are presently invoiced at a 1" meter rate be granted an abatement for the difference between the 1" meter rate of \$32.21 a month and the 5/8" meter rate of \$10.69 for the months they have been charged the 1" meter rate; this goes back to July 2004 for two of the units and January 2005 for the other two units.

Selectman Maddox asked if this was consistent with the policy throughout the Town where there is a sprinkler system being fed off the water line. Chairman Massey said that was correct and the reason why they couldn't do this with the 1" meter is because all of the pipes are behind the walls and they would have had to rip out their homes in order to isolate the fire suppression. Now they will be charged for their usage, plus a monthly service for the fire suppression.

Vote: Motion carried 5-0.

3) Sewer abatement, S-BET-05-02, 36 Glen Drive, w/recommendation to grant by the Sewer Utility Committee

**C. Licenses and Permits**

1) Raffle Permit by the Hudson Senior Center Council on Aging at the Senior's Fair on October 15 to approve.

2) Block Party Permit on Flying Rock Road for July 30<sup>th</sup> (signed off on by Police Chief).

3) Truck Permit Request by Brox Industries for August 2 & 3, to approve, w/the stipulation, as noted by the Chief of Police, that there will be no stopping or standing with trucks idling at or near Greeley Street.

**D. Acceptance of Minutes**

Minutes of the Board of Selectmen's Meeting of July 12, 2005

**E. Committee Announcements**

7/27 7:00 Planning Board in CD Meeting Room

7/28 7:00 Open Space Committee in BOS Meeting Room

7/28 7:30 ZBA in CD Meeting Room

7/28 7:00 Lower Merrimack River Committee @ NRPC

8/01 6:30 School Board in BOS Meeting Room

8/02 7:00 Joint Committee/Conservation/Open Space in BOS Meeting Room

8/03 9:00 am, Highway Safety Committee in Cd Meeting Room

8/03 7:00 Planning Board Workshop in CD Meeting Room

8/09 7:00 Board of Selectmen in BOS Meeting Room

8/10 7:00 Benson's Committee in BOS Meeting Room

8/10 7:00 Planning Board in CD Meeting Room

8/11 6:30 Recreation Committee @ Rec Center

8/11 7:00 Sewer Utility Committee in BOS Meeting Room

8/11 7:30 ZBA in CD Meeting Room

8/13 Benson's Cleanup (may be cancelled)

8/15 6:30 School Board in BOS Meeting Room  
 8/15 7:00 Conservation Commission in CD Meeting Room  
 8/16 7:00 Cable Utility Committee in BOS Meeting Room  
 8/17 6:00 Library Trustees in Ferry Street Annex  
 8/18 7:30 Budget Committee in BOS Meeting Room  
 8/19-21 Old Home Days at the Hill House on Derry Road  
 8/23 7:00 Board of Selectmen in BOS Meeting Room  
 8/24 5:00 Water Utility Committee in BOS Meeting Room  
 8/24 7:00 Planning Board in CD Meeting Room  
 8/25 7:00 Lower Merrimack River Committee at NRPC  
 8/25 7:00 Open Space Committee in BOS Meeting Room  
 8/25 7:30 ZBA in CD Meeting Room  
 8/27 Boot Drive @ Ferry/Derry/Chase Street Intersections

## 7. OLD BUSINESS

### A. Cable Consortium

Cable Chairman Mike O'Keefe was recognized, then Selectman Cole, who had asked this to be deferred to tonight. Selectman Cole asked why it was important for Hudson to be a part of the consortium. Mike said the 394 is an FCC document that has to be approved by the franchising authority for the transfer of Adelphia to Comcast, which all of the towns served by Adelphia have to do. As in the past transfers, there are several towns who are going through the process together, with one of the major reasons being to share the cost. One attorney will work for the whole consortium, divided evenly amongst the members. There is an advantage having a larger group interfacing with Adelphia and Comcast, as they go through the process. If the Town decides to go it along, they can either do nothing and let the transfer happen by default, or they could have it reviewed by the Town's attorney and incur the cost. The agreement before them tonight lets Londonderry, who is chairing the consortium, bill each of the towns for their percentage of the cost. This was vetted through the Town attorney, who added a sentence to it. He has attended three consortium meetings now, and some of the other towns have added language to have a not-to-exceed figure in the agreement, such as \$1,000. If the Town does that, and the costs got that high, which is not anticipated, they would have to make a decision at that time whether to approve more money or withdraw from the consortium. Selectman Cole asked if the consortium was in actual existence, and if some towns have signed the agreement. Mike said the agreement went out to all of the towns that expressed an interest in participating. Right now, there are about 10 towns who have returned the signed agreement. A couple towns decided not to do it, and then there are three or four others, who have not committed as yet. Selectman Cole asked how the Town of Hudson has any sway with the FCC or Federal Government with regard to the transfer. This isn't a franchise agreement. It is something between Comcast and Adelphia. Mike said there is a legal process that has to be followed. Comcast and Adelphia have to file this form with each town. Each town can either do nothing and have it approved, have it approved themselves, or they can deny it. There are limited grounds upon which to deny it, such as not believing the acquiring company is capable of maintaining a system, or things like that. In the case of denial, the franchise wouldn't get transferred. Comcast would likely challenge that and the Town would probably end up in court. Selectman Cole asked when it is anticipated the consortium will be an operational entity. Mike said it already is in existence, having had three meetings already. The whole process has to wrap up within 120 days of when they received notification, which was mid-June. The consortium is planning a joint public hearing towards the end of August, where representatives from Comcast, Adelphia and Time-Warner will be present to answer questions. The group is already up and running. About 10 towns have signed the agreement and the others are participating on good faith, up to this point.

Selectman Maddox asked if there was a sunset to the consortium. The last time the Town went through this process, it took years. Mike said it was the franchise renewal process that took years. This is simply the transfer of ownership from one group to another, which is what they did when Herron transferred to Adelphia, and that all has to take place within 120 days. Selectman Maddox said unless an entity challenges it in court, and then it's all on hold. Mike said the bankruptcy court still has some say in this as to whether the whole agreement will ultimately be approved, but Comcast, Adelphia and Time-Warner are proceeding as though it is going to happen. That's why they issued the 394 documents. Selectman Maddox asked if we are being charged, based on the number of people subscribing in the Town, or if it is flat fee per town. Mike said it's per town.

Selectman Stewart noted that the Page 2 to the consortium's last meeting was missing. (For some reason, it didn't get copied.) Selectman MacLean noted that this isn't the first packet the minutes have been in. Selectman Stewart didn't know but what there might be something in there. Mike gave Selectman Stewart his copy. Selectman Stewart quoted, "Atty. Epstein indicated that the total cost for his representation should not exceed \$10,000." Mike said this isn't a franchise renewal, where there is a lot of back and forth. Atty. Epstein has attended one consortium meeting so far, so he will bill for those hours. He will likely attend the public hearing, which will be another handful of hours, and then whatever other document preparation work would be the third cost. Chairman Massey asked what the objective of the consortium is. Mike said to protect everyone's rights, to some extent. For example, when Hudson went through the last transfer, they added language to the agreement that Adelphia had to abide by

certain things. The public hearing is to get Comcast and Adelphia on the record when questions are asked of them, so that when the transfer does occur, they can be held to what they commit to. They are not renegotiating a contract. Chairman Massey asked, if there are still communities that have not signed the agreement, but are attending the meetings, at what point is the consortium going to tell them they got to pay their bill. Mike said that was discussed at the last meeting and he suspects that the next meeting will be the cutoff, if people haven't committed at that point. The consortium was put together quickly and it is realized that a lot of the towns are on a summer schedule and don't meet as regularly as others.

(Start Tape 2-A)

Selectman Maddox asked how the Cable Utility Committee became involved in the consortium. Selectman MacLean asked Mike if the Cable Committee took a formal or informal vote because everybody said their piece. Mike said there wasn't a formal vote to approve or disapprove, but the progress has been discussed at at least two Cable Committee meetings and the information is out there. No one raised a concern at the committee level. Selectman Maddox said he'd like to see the input from the Cable Utility Committee. Selectman MacLean said the Chairman speaks for the committee; he represents the committee, just as she, as the liaison, does.

Motion by Selectman MacLean, seconded by Selectman Stewart, to authorize the Chairman of the Board of Selectmen to sign the cable consortium agreement failed 2-3. Selectmen MacLean and Massey voted in favor.

Mike asked what direction the Board of Selectmen wanted to give to the Cable Committee, if they wanted the Town Attorney to be involved with the 394 process. Selectman Cole said he has been away, so he wondered if a legal opinion had been requested. Chairman Massey said it was and it has been received. Selectman Cole thought it could be run by the Town Attorney, realizing that he is not an expert in cable law. It will have to be submitted anyway. Mike said no, nothing could be done. Selectman Cole said since they have gone this far, it should be submitted, unless there is something in there that is potentially harmful to the Town, which he was not aware of. Selectman Maddox said he voted no because there was no limiting to the amount of money they could spend on this. He was torn. He understands the hard work they have done and the sense of putting it all into one basket, but he like Selectman Cole, felt this could be never-ending, in spite of the 120-day deadline, when the federal government and lawyers are involved. He is concerned this could be a long-term financial drain on the cable system. If there were limits, he would not be opposed to the idea. Chairman Massey said given that the vote is 2-3, and the uncertainty of what the cost might be, they should just let it stand and the Town Attorney can look at the 394 and see what should be done. Selectman Cole said, as a courtesy to Selectman Maddox, and since he was on the prevailing side, he'd make a motion to reconsider. Selectman Maddox said he'd like to hear from the Chairman.

Motion by Selectman Cole, seconded by Selectman MacLean, to reconsider carried 5-0.

Mike didn't think that this issue would get drawn out. Comcast and Adelphia want this done in under 120 days, which they have said right up front. There is no back and forth negotiations like there was during the franchise renewal process. In terms of cost, a number of the towns that signed this agreement have added a not-to-exceed figure clause, such as \$1,000. If, for some reason down the road, the costs reached that level, then the Town could either withdraw or approve more money. Selectman Maddox asked where this money would be coming from. Mike said from the legal line of the Cable utility budget. Selectman Maddox said if the same motion was made with a cutoff date and a dollar value, he would hold his nose and vote in favor of it. Selectman Cole asked what the date and amount would be. Selectman Maddox said not to exceed \$1,000 and the date would be October 30, 2005.

Motion by Selectman Maddox, seconded by Selectman MacLean, to authorize the Chairman of the Board of Selectmen to sign the Cable Consortium Agreement, with three stipulations: 1) that the cost to the Town not exceed \$1,000; 2) that the term shall not extend beyond October 30, 2005; and 3) that the agreement shall have an Article 2 under Term, an additional line that says, "This agreement shall automatically terminate upon the completion of the Form 394 Application of Transfer from Adelphia to Comcast for all consortium members.

Selectman Maddox said he believed he was doing the right thing, but he didn't like it. Selectman Cole asked what happens at 121 days if nothing has been done. Mike said they would withdraw from the consortium. Selectman Cole asked what happens to the whole process on the transfer of the 394. Mike didn't know, saying he didn't think a transfer has ever gone beyond 120 days. Selectman Cole said Selectman Maddox motion, which he would support, now adds three elements to a document that nine or 10 other towns have to look at. They, in turn, may be putting elements into their documents. This document is a draft proposal, so there are potentially 10 other variations that have to be looked at by the consortium to come up with a final document. He asked when their next meeting was. Mike said this isn't one document that all of the towns must agree on. This is a document that Hudson is signing for Hudson that authorizes Londonderry to bill the Town for their portion. Selectman Cole said if the consortium spends more than \$1,000 per member, the Town will only pay \$1,000. Mike said they would withdraw from the consortium, at that point, or the Board could authorize more money.

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

**B. Bid Recommendation—Fire Pumper Apparatus**

Fire Chief Shawn Murray was recognized and said this has been a long, eight-month process. The chief officers, the Captains and the firefighters on the apparatus committee have worked hard to come up with this recommendation, which they believe will serve the Town well. In the bid process, they followed the Town's purchasing policy. They advertised in the HLN, the Telegraph and Union Leader and sent out 10 RFP's. Six were received by the Town Clerk's Office by the deadline of May 27. They were opened and documented by the Town Clerk on May 31, which he outlined for the Board. At this year's Town Meeting, the voters approved \$350,000 to purchase a replacement pumper and authorized the withdrawal of \$150,000 from the fire apparatus capital reserve fund and to appropriate \$200,000 from the 2004-2005 unencumbered budget surplus. After an extensive review of the bids, the recommendation is for the KME bid in the amount of \$329,667 plus additional options of \$2,879 for a total of \$332,546.

Selectman Stewart said the Chief's memo indicated they were waiting for a final cost estimate to evaluate the benefit of furnishing one of the KME trucks in the fleet. She asked if those figures were available. Chief Murray said they got back one estimate from Valley Fire Equipment in Bradford, NH for around \$60,000 but it was mostly cosmetic work, not a major refurb on the truck itself. The other one was E. J. Murphy in MA, who has looked at the truck, but hasn't submitted a written proposal yet. That estimate is expected to be around \$80,000 to refurbish the KME. Selectman Stewart asked if the refurbished vehicles had any guarantees with them. Chief Murray said no. Something could happen to the truck while driving it back. They might give a year's warranty on parts and labor, but that's about as far as they will go.

Selectman Maddox said he was just a little surprised that these two items were in reverse order—the truck and renovations to Central Fire Station. If they don't do the renovations, this is the way they *have* to go. If they intend to do the doors in Central Station, that would change where they might go with a replacement pumper. Chairman Massey said he put it in this order because the cost of the renovations, if approved, are not in the budget for this fiscal year. They would have to wait until at least next year and it's not clear, at the moment, that that's a fixed price; it's an estimate, and they need the truck now. If they were to go ahead with the station refurbishment, they wouldn't be able to do that until next year, which doesn't eliminate the need for the truck now. They need to deal with the truck first and, if it's appropriate to do the station, it can go on next year's warrant. Selectman Maddox asked the Chief if the other two stations can handle a 10' high truck, that the only station impeding the Town from getting a stock truck of a standard height would be Central Station. Chief Murray said Robinson Road and Burns Hill could. Chairman Massey wanted to clarify that the structural engineer's assessment for Central Fire Station did not include the two bays where the ladder truck is, so if they were going to do any renovations, he thinks the Board would want to consider that issue, as well. But, to him, they are two separate issues. One, they have to deal with the fire truck need now. The other one is if the station would, down the road, make sense, they would have to get the money into next year's budget. Selectman Maddox said he didn't disagree with that, but if they were to not buy a truck that is on tonight's agenda that has a 300-day build-out, they could get a truck within 60 days, if they bought a stock truck that fit into Burns Hill. They could have a truck in two months, occupying an existing station with doors that could handle it. They could then take the savings all the way around from lack of maintenance for the 1990 KME, the reduced, hopefully, price on buying that stock truck and the, hopefully, better trade-in to put towards those doors, so it would not be a sizable leap when they went to the voters and asked to put it in the budget. He was trying to look at a way to find a method to save the Town money, rectify a problem that's not going to go away—as they saw at the show, fire trucks are not going to get any shorter, but are getting taller every year—and the impediment to getting a stock truck is the height of the garage doors in one station. He is just trying to see if there is a way to look at this that will solve the problem, not here tonight, but in the future. It's painful to go on again, but if they look at the handout the Chief gave them, the vote to approve this warrant article was only a 70-person delta between yes and no. They need to be cognizant of the fact that it wasn't an overwhelming, "let's buy a \$350,000 fire truck," so they should look at ways of maintaining good fire protection, a quality truck and also looking at resolving a problem that is just not going to go away.

Selectman MacLean said Selectman Maddox's idea makes good common sense, theoretically, and she agrees with that. The thought of saving money by buying a different truck, if they got the doors fixed, is all great, theoretically. But she was wondering something. She made a calendar of where they have come since October, how it started and the voters approved everything, so she didn't have a lot of heartache about approving the truck, but she wanted Selectman Maddox to show her the truck. She didn't know what truck he was talking about. As awful as it is for everybody, she wondered if they could defer this for one more meeting so that Selectman Maddox can show them the truck he is talking about, how much it costs, what it is made of so they can see if it will or won't work, the doors are fixed, and they can move into the future ahead of the game, saving taxpayers money and nobody's safety has been jeopardized in the process, just by one more week—if Selectman Maddox can show her the truck. She asked if they could do that because it does make sense. If at the next meeting there still is no truck, or if the truck he proposes is not suitable, then they go with this recommendation. That's what she would like to see happen.

Selectman Cole said Selectman Maddox has managed to throw in every little buzzword he can come up with, and if you say it long enough, everyone will believe it. Stock truck? They're not looking for a stock truck. They are looking for something to the specifications that will provide maximum security and safety for the Town. Not a stock truck. Standard height? They have five companies that came in with a truck at a height that is equatable to what they currently have right now, so that's a standard as far

as he is concerned. Everyone is familiar with the children's story about the Little Engine, "I think I can, I think I can, I know I can, I know I can." Well, Hudson has its own little version of that engine. It's not a train engine, but a fire engine. This little engine does not exist yet. It hasn't been built yet. But it does exist in the minds of the voters who approved Warrant Article 8. Whether it is a delta of 70 or 700, he didn't really care. The votes approved Warrant Article 8. So, Little Engine #8 does exist. There is a hill that this little engine has to climb, but they've been forever putting obstacles in front of this little engine. Not the eight months the Chief referred to; that's the process of getting it past the voters. This has been around since 2003. In 2004, the Budget Committee didn't recommend Little Engine #8. It didn't make it, and the voters agreed and didn't pass that warrant article. In 2005, in the spirit of compromise, based on what they were hearing out of the Budget Committee, the Board of Selectmen lowered the amount of money on the original warrant article by about \$30,000 or \$35,000 with every expectation that the Budget Committee was going to recommend approval. Surprise, surprise. Little Engine #8 got it stuck to it one more time by the Budget Committee. But, fortunately, it passed the voters on March 8, 2005. Little Engine #8 has had to endure a seemingly endless list of trails and twisted logic. Some of his favorites are: the Budget Committee spent a great deal of time talking about the value of getting a new fire engine and using the resale of the old one to KME Engine #4 as some sort of a baseline. They talked about putting it on e-Bay, going to South American and looking for a drug lord who wanted his own fire department and see if they could get max dollars for it. What that has to do with buying a fire truck for the Town of Hudson and protecting the people from fires beats the hell out of him. Another favorite of his is hearing that some fire chief over in East Overshoe, New England, population next to zero, went to a flea market and bought a fire truck at a significantly lower cost than Warrant Article #8. Suddenly, that has become the standard for Hudson. We have to buy a fire truck that doesn't cost any more than what they got over in East Overshoe, New England. Come on! He didn't even know if East Overshoe got a good deal. He has no idea how that flea market engine could hold up in Hudson, given the volume of calls. Over in East Overshoe, New England, the calls are probably 25% of what they are in Hudson. Another one is his favorites is they are replacing what was promised to be around for 20 years. Well, he didn't know what fool made that promise back in the early 90's, or what fool believed that promise back in the early 90's. Possibly, that was a valid statement, given the circumstances in Hudson 15 years ago, population-wise, traffic-wise, etc., but things have changed. No one lied to the Budget Committee or Board of Selectmen. The truth just changed. The KME just isn't going to make 20 years. Accept it. Live with it. Another one is his favorites is they can wait another year. He bought that in 2004. In 2005, where is the logic? He's lost it. Wait another two years? Another three years? Another four years? On March 8, the voters approved Little Engine #8. All that remained for them to do the will of the voters to protect their property, to protect their lives, was to let the Fire Department—their expertise, their Chief, Deputy Chiefs, the Captains, etc., that deal with the apparatus on a daily basis—let them sit down, put together a specification, a bid package, an RFP, based on what they discern are the needs of this Town—to protect property and lives. They did that. Selectman Cole didn't hear peep one about the RFP package. He didn't hear it being tossed about, or tossed away. They got the bids back in.

(Start Tape 2-B)

They selected someone who offered the best value, that meets the technical requirements for the Town and it's the lowest cost. So everyone who pontificates about saving the taxpayers money, that has been done. He thought they had it made, but no. The latest mumbo-jumbo has to do with alterations and renovations to Lenny Smith Central Fire Station. He agreed with Selectmen MacLean and Massey—the two are not related. If they are going to talk about renovations and alterations to Central Fire Station, they will have to look at all the fire stations. They will be looking at a stationing plan for the future, not just one station in isolation. This another false trail out there so Little Engine #8 can never see the light of day. He hasn't seen this much baloney since lunchtime at the construction site he worked at in college. Over the last two and a half years, they have gone from foolishness, with a touch of sour grapes and vindictiveness, into negligence and dereliction of duty as public officials. If they continue to mess around and not get this fire truck—that will provide security and safety to the lives and property in Hudson—they will leave negligence and, God forbid, move into criminal negligence, if someone is seriously hurt or dies because the Selectmen didn't do their job. Chairman Massey said he couldn't say more, that many of Selectman Cole's comments were his, as well.

*Motion by Selectman Cole, seconded by Selectman MacLean, to award the bid for the purchase of a replacement fire pumper truck to the lowest bidder, Kovatch Mobile Equipment, in the amount of \$329,667 and to add additional options of \$2,879 for a total of \$332,546 with \$150,000 being withdrawn from the Fire Apparatus Capital Reserve Fund and the remaining funds of \$182,546 from the unencumbered budget surplus, as recommended by the Fire Chief and the Finance Director.*

*Selectman Maddox said that was a stirring speech and even though he agrees with most of it, he thinks they owe the citizens of the Town a solution, not just a short-term, but a long-term solution. Maybe his nomenclature is inflammatory to Selectman Cole, as stock, but when he want to the apparatus show in Springfield with the Fire Department, their biggest problem in meeting the Town's spec, that the Chief handed to them—they could do the 17" disc brakes all the way around, they could do the 450 horse-power engine—it was the height requirement. They basically build trucks to 120" and Hudson's station won't allow that. By waiting a little longer to get a price for a truck that will go into another station in 60 days when they get it and, hopefully, in the Central Station, as soon as that is renovated, in his mind, is a much better approach and a long-term solution, rather than Little #8 not getting here. It's going to be 300 days if they order this one right now with this motion. They might be able to have one in 60 to 90 days because they all explained that they have trucks in process that could meet this need, other than the height. He asked the Chief if he was saying anything incorrectly. Chief Murray said yes. When they went to the shows, one of the restrictions was the height, but he thinks Selectman Maddox has the apparatus mixed up because some came very close to the*

specifications, but others had drum brakes, a few trucks had stainless steel. He didn't disagree that the height restriction is something they should look at, but tonight's recommendation meets all of the specs they want in a fire truck and it fits into all the stations now. The apparatus base is something that has to be looked at for the future and, as Selectman Cole said, they should all be looked at, not just one. They could have a workshop to look at the true needs of the stations are for the future. Selectman Maddox said he just can't vote for this. Selectman MacLean said the Little Engine that Could reminds her of Selectman Maddox—I think I can, I think I can, and he really is dedicated to trying to get this Town a truck for less money. She didn't have any heartache to vote for this truck, but she thinks one more deferral wouldn't hurt. She will vote no on this motion because she'd prefer deferring this for one more meeting so that Selectman Maddox can show her the truck.

Chairman Massey said he's always known if you look for perfect facts to make a perfect decision, you will never make a decision because there is no such thing as perfect facts and there is no such thing as a perfect decision. They are also rapidly going down the road of paralysis by analysis. One more deferral is just one more step on not making something happen. They really need to look at the fact that the Chief said this is the engine they need. The only difference between what he is saying he needs and what appears to be out on the market in a standard configuration is the height, but make no mistake about it, if the Chief says he is going to go get another machine, he is going to be requesting the same set of specifications because that's what he and his staff believe is required to run this Town. To think you can get a truck 60 days from now, and if it doesn't show up, they are back in the same thing—analysis and a paralysis, chasing perfect decisions with perfect facts, which isn't going to happen. He thinks they really need to cut to the chase and recognize that this is something that's needed; it's separate from the issue of the fire station itself; and the voters themselves have said they have the trust in the Town to do it. If they don't do it, they are making a large mistake. Deferral, to him, is not an option because they've been deferring forever.

Selectman Stewart said she is the deciding vote, but she is torn between voting in favor of this motion and directing the Fire Department to start looking at possible renovations for future trucks and to see that it is in the upcoming budget or on a warrant article. She'd like a commitment from the Board and the department on going forward, looking at renovations for future trucks because she agreed with Selectman Maddox that they were in this situation, which is going to happen every year, they are not going to get the taller trucks at a better price because the station is too small. She is sure other communities are in the same situation. Before she votes for this motion, she wants to hear a commitment to look at more structural engineers and work on a warrant article or the budget process to make sure it goes forward and doesn't sit on a back burner, where they are stuck buying custom trucks every time. Chairman Massey said from his perspective, it's a given that they need to do that because it's not something that's going to go away. They really do need to look at it from a Town-wide perspective. He thinks that this Board needs to have that be a commitment to go look at. Everyone has said that needs to be done, so he thinks they should take that as a commitment. Selectman Stewart said they will be looking at two big projects, this and Combined Dispatch. If they do this station by station, with Central being the oldest station, they need to address it. She, therefore, will support the motion, but she wants a commitment to renovate Central Station in the next budget process.

*Vote: Motion carried 3-2 by roll call vote. Selectmen Maddox and MacLean voted in opposition.*

### C. **Renovations to Central Fire Station**

Chairman Massey said he was sure between the Chief and Kovatch, the Town will have a great machine. Relative to the renovations to Central Fire Station, he would accept a motion to move this to a future agenda, with the Chief and the liaison, Selectman Cole, making a recommendation to the Board on an overall station plan, unless Selectman Cole has something different in mind. Selectman Cole said he thinks they are looking at something other than just the Fire Department personnel doing a study. He thinks they are looking at an independent agency or entity with regard to looking at a stationing plan for the Town for the future, not just the Lenny Smith Central Fire Station. All of them, where they should be, what they should look like. The Town is continuing to change, not necessarily because it is growing, but because of its location in the metropolitan areas and the services that are required by the Fire Department, who don't live here, but come to the Town. They should be looking at the entire package. He would probably support putting in a warrant article for the renovations to the Lenny Smith Central Fire Station, but he thinks they should be looking at the entire stationing plan for the Town for the future. He didn't think Central Fire Station is going to be in that location in 10 years. He didn't know where it's going to be, or why it should be there, but in his mind it isn't going to be where it currently is in 10 years. It will be someplace else because of the continual growth and requirements in Town. If the Board would like them to come back at a future meeting and propose something that may show up in a warrant article, he and the Chief would be glad to do that. Selectman Stewart asked when the last station location study done. Chief Murray thought late 70's, early 80's, when ISO came in to do the rating. There was an informal one done by Chief Carpentino. Selectman Cole said he researched the Minutes and just about every year he came in to talk about the Fire Department in CIP. Carpentino strongly recommended to the Board, at that time, that they commission an independent station study, but it was never acted on, for any number of reasons. The changes are magnifying with every passing month in this area. Selectman Stewart said she didn't want to spend thousands of dollars on another study. This Town has studied things to the point of no return. She didn't have a crystal ball, but she didn't see Lenny Smith Central Fire Station going anywhere, or being closed. Not knowing how much it cost to build a new fire station, but knowing how much it cost to build a Police Department, she is not prepared to support a warrant article to build another building. Land is at a premium now in this Town. They don't

own a whole lot of land to put a station somewhere.

Chairman Massey said he'd offer the following, that no matter what happens, knowing how long it takes for bond articles to get passed in any circumstances, and knowing that they have a short-term problem at the fire station, he recommends doing two things. One is they have an engineer who did the studies draw up an actual bid spec for that building and that they have it available as a warrant article for next year and, simultaneously, they undertake what Selectman Cole is talking about, which is an assessment of the long-term needs of the fire service and where and how they would meet that on a long-term plan. He didn't think holding back on this particular thing would be beneficial, given what Selectman Maddox is talking about, that the need for a standard type truck, which appears now to be settling at 120' and we got 113 to play with, if it's feasible to do it. That's his recommendation to the Board, to do the two steps.

Motion to do a bid spec on Central Station and have the Fire Chief and the liaison begin looking at a long-term solution for the Town's fire needs by Selectman Stewart, seconded by Selectman Cole. Selectman Maddox said, "You changed your vote for smoke and mirrors." Vote: Motion carried 5-0.

Motion by Selectman Cole, seconded by Selectman Stewart, for a recess at 8:21 carried unanimously. The meeting resumed at 8:29 p.m.

## 8. NEW BUSINESS

Motion by Selectman Cole, seconded by Selectman Stewart, to change the Order of the Day to take up Item 8C carried 5-0.

### C. Eagle Scout Project to construct two enclosed Dugouts at Greeley Street Baseball Field

After Life Scout Matt Emanuelson and Scout Master--and Matt's Dad--Jeff Emanuelson were recognized, Matt passed out an information packet to the Board members, saying he was a Life Scout with Troop 252 in Hudson. He was seeking approval for his Eagle Scout leadership project, which is building new and improved dugouts at Greeley Field in Hudson, which will benefit Hudson Youth Baseball. Currently, about 500 kids play ball each year and the existing dugouts do not have a roof and are open to the elements. The kids can also get hurt by stray balls and bats. The new roofed dugouts will have cement walls with built-in benches, bat and helmet racks. The cost for both dugouts is about \$2,500. To date, he has raised about \$1,500. If he's not able to raise the entire amount, Hudson Youth Baseball will make up the difference. Selectman Maddox referred to the copies of the dugouts that were contained in the information packet and asked where those were located. The Scout Master said in Manchester at the East Side Little League and those were made of cinder blocks. The ones Matt is proposing will be made of poured concrete walls. The top of the walls will be stick frame with a texture 111 siding and stained. A fence will be in front of them. Matt said they were planning to use the reusable fencing that is already there and to make a safer on-deck circle for the batters to warm up. Selectman Maddox asked about the dugout on the third base side, that goes along Greeley Street, if they would have to cut into the slope. Matt said no, there will be enough space to do this. Selectman Maddox asked what the timeframe was to do the project. Matt said they would start tomorrow, if this is approved, with the hopes of having it done by the Fall baseball season. Selectman Maddox asked if the Boy Scouts' insurance was covering this. Mr. Emanuelson said it was.

Motion by Selectman Stewart, seconded by Selectman Cole, to approve the proposed Eagle Scout project to construct two dugouts at Greeley Street baseball field, as outlined by Matthew Emanuelson, carried 5-0.

Motion by Selectman MacLean, seconded by Selectman Stewart, to change the Order of the Day to take up Item 8-D carried 5-0.

### D. Request by Advocates for Ottarnic Pond to place a Kiosk at Claveau Landing

Michael Quinlan from the Advocates for Ottarnic Pond was recognized and he spoke on behalf of the group, several of whom were present. They recently had the pond treated for milfoil, which is working well in that growth of that weed has been retarded. They'd like to build a kiosk at Ottarnic Pond, similar to the one at Robinson Pond. They would post information so the people who uses the pond for boating, fishing or just relaxing, will know what they should and shouldn't do. Someone at one point in time brought in a milfoil plant, probably accidentally on their boat or trailer, and it grew and then spread. They don't want it to come back and they don't want any other invasive plants coming in. They also don't want anyone to make the mistake of using the pond and taking a piece of it with them, transferring it to another pond.

(Start Tape 3-A)

He included a photo of Claveau's Landing at the pond, the but kiosk was added electronically to show what the approximate size and location will look like. The location is important. They could have located the kiosk on someone's personal property, but it wouldn't have been observably visible. One would have to take the time to try to locate it, but if someone didn't know it was there, they wouldn't do that. The kiosk is to educate the public of what goes on in the pond, the do's and don'ts. The kiosk will be built identical to the one at Robinson Pond, which has worked out well.

Selectman MacLean said the paperwork indicated a wetland's special exception needed to be obtained. Mr. Quinlan said a wetland's permit was needed, not a special exception. He knows who to see about that and said they are hoping to get the kiosk



built before the summer is over in order to let as many people as possible know about the invasive plants problem. Selectman Stewart asked if Mr. Quinlan should check with Community Development relative to a site plan. Mr. Quinlan said he's spoken with that department's personnel and they are ok with it. Selectman Maddox asked if they considered moving it to a different location so they won't have to go through the wetlands process. Mr. Quinlan said other options were considered, but the proposed location would be most appropriate. Chairman Massey thought the committee would need a wetlands special exception from the Zoning Board, and construction couldn't be started until that was obtained. Then they would have to go to the Conservation Commission, too. It would be a two-step project, but wouldn't need any Planning Board action. Selectman Maddox said, technically, that Board should provide input, too. He asked if the digging was going to be done by hand. Mr. Quinlan said yes, there would be no equipment—all hand work. There would be very little change, other than going down two to three feet to put in cement pillars so the wind doesn't blow the kiosk over. The ground is about five feet above the water line, so the water or the wetlands won't be disrupted. Selectman Maddox asked if the Road Agent was contacted because this area is plowed in the winter. Ed Mercer from 95 Highland Street was recognized and said he lives just down the street from the landing and when that area is plowed, they come in with a full sweep and go to the left, around to the side. The snow isn't pushed into the water, but off to the side, and the kiosk is located well enough out of the way and away from any vehicle coming in, such as trailers, etc., to make a continuous swing to back their vehicles in and launch their boats appropriately. They had a weed watchers session with DES a week ago Tuesday and they explained their intention at this site and they thought it was a great idea. The group has an on-going weed watcher program established on the pond. They also belong to the Lakes Association and have a paid volunteer person to do the lake host program every weekend, so the boat ramp is continually manned over the weekend. The group was able to get additional funding to the money they were originally awarded. Last week, they were notified they were awarded an additional \$1,000 to extend their volunteer program, which is active and beneficial to the Town.

*Motion by Selectman MacLean, seconded by Selectman Stewart, to authorize a kiosk to be built on Town-owned land (known as Claveau's Landing at Ottarnic Pond) subject to review by the Community Development Department and obtaining the required wetlands special exception from the ZBA carried 5-0.*

Chairman Massey said when he first moved into Town many, many years ago, one of his first introductions to Town Government was through Senator Tom Claveau. It's nice to know that sometimes when you see something called Claveau Landing, who that really is. Senator Claveau was a well known and well respected member of the community and he contributed a lot to the Town. It's just another way of thanking him, although he's gone to a different world now. Tom was an excellent person for the Town. Selectman Cole added that a little know fact is that Tom's dog's name was Spencer. Mr. Quinlan said they will have to put a little note on the kiosk about that.

**A. Request by the Fire Department to purchase/install Digital Radio Equipment**

Fire Chief Shawn Murray and Deputy Chief Charlie Chalk were recognized. Chief Murray said they were seeking authorization to continue with the next phase of their radio improvement project. Over the past two years, they have been working towards changing their radio systems over from analog to digital. They need to purchase some equipment for the final segment and begin the installation of the digital radio system for the Fire Department. All of the equipment comes from the State bid list and provides them with the best cost. The packet contains a breakdown of the cost to date. Selectman Maddox said the Chief used the primo word—final. He asked if they were going to see this thing go digital and then be done with it. Chief Murray said yes, but they had to do it in phases because they were juggling seed money and obtaining grants, etc. Now it's ready to be installed.

*Motion by Selectman Cole, seconded by Selectman Stewart, to authorize the Fire Chief to expend the following identified funds towards the purchase and installation of digital radio equipment: Homeland Security I & II Funds, \$1,418.25; 2004 Homeland Security Funds, \$76,196; 06 Budget 5720-403, \$59,242 for an estimated cost of \$136,856.25, as recommended by the Fire Chief and Finance Director, carried 5-0.*

*Motion by Selectman Cole, seconded by Selectman Stewart, to authorize the Fire Chief to use CyberComm as the sole source vendor for the purchase and installation of the digital radio equipment, as recommended by the Fire Chief and Finance Director, carried 4-1.* Selectman Maddox voted in the opposition.

**B. Police Chief Retention**

This retention agreement for the Board to enter into with the Chief of Police is an incentive for him to remain with the Police Department for the next three years. If the Chief stays with the department through June 30, 2006 he will receive \$10,000; if he stays through June 30, 2007, he will receive \$15,000; and if he remains through June 30, 2008, he will receive \$20,000. Selectman Stewart said the reason the Board considered this retention agreement is, as the Town Administrator indicated in his memo, the two Captains are retiring by the end of this year and in order to facilitate the process of identifying, promoting and training the new command structure of the Police Department, the Board felt it was in the Town's best interest to offer an incentive to retain the Chief. Chairman Massey explained that, in addition to looking at the two Captains retiring this year, they will end up with a cascading promotion process—Lieutenants to Captains, Sergeants to Lieutenants and officers to Sergeants. It's a management-intensive effort over the next two, three years to see the Town through this transition with the retirement of

Captain Pease and Captain Mello. Selectman Maddox said he was originally opposed to this, believing that it went a year too long, but he didn't want the Chief to think he does not respect his abilities and realize the undertaking for which he is being compensated, so he will change his vote. It is important that the command structure go in an orderly fashion.

Motion by Selectman Stewart, seconded by Selectman Cole, to enter into the retention agreement with Police Chief Richard Gendron, effective July 26, 2005 through June 30, 2008 unless sooner terminated by either party, carried 5-0.

- C. Eagle Scout Project to construct two enclosed Dugouts at Greeley Street Baseball Field (taken up as 1<sup>st</sup> item under 8)  
 D. Request by Advocates for Ottarnic Pond to place a Kiosk at Claveau Landing (taken up as 2<sup>nd</sup> item under 8)

**E. Request for Reimbursement for damages incurred during Annual Water Main Flushing**

Chairman Massey said when the water main flushing is done, if an individual has a booster pump that is running when the water main is being flushed, it can cause a significant buildup of silt in their water system and can cause sufficient damage and has to be replaced. Since the Town has taken over the system in 1998 and Pennichuck has been managing the water system, this is the only known instance where an incident such as this occurred. The Town Engineer and Water Utility Committee are recommending that, given the specific nature of this problem, reimbursement be made to the owner of 22-A Rangers Drive in the amount of \$860 for the repair that was required to take care of the damage and, in order to minimize or prevent any future action of a nature similar to that, from now on, before the water mains are flushed, Pennichuck Water Works will insert a flyer that says if you have this problem, don't have your pumps on when the water flushing system is running, which is always done at night, and for those known homes in Town that have booster pumps, they will have a flyer put on their doorstep notifying them, either the day before or within a week before the flushing occurs so the individuals will have sufficient warning and can plan for it. The people at Pennichuck told him this is a one-in-a-million occurrence and has only happened one time, to their knowledge, since they have taken over the water system for the Town. In fact, 22-B did not have that problem.

Motion by Selectman Cole, seconded by Selectman Stewart, to approve the reimbursement amount of \$860 for repairs to 22-A Rangers Drive that occurred during the water main flushing, as recommended by the Water Utility Committee, carried 5-0.

**F. Request to waive the cost of a Police Detail**

Chairman Massey said the letter from Don Williams was to request the Board waive the cost of a police detail for a fundraiser to benefit the children Chris Messier. The minimum cost for a police detail is \$160. The event is being held at Kings Court Banquet Hall on August 26. Kings Court has required them to have two police details. The facility will pay for one of them and Mr. Williams is asking the Town to donate the services of the second police detail. Selectman Maddox said the event is scheduled from 7:00 p.m. to 1:00 a.m. The \$40 per hour cost would result in each officer being paid \$240. Selectman MacLean said she had a problem with using taxpayer money for things like this because everyone would be asking. She wouldn't mind chipping in something out of her own pocket, but giving charity with other people's money isn't something she likes to do. She suggested that the two officers could split the money that Kings Court is paying. She thought that would be a very charitable thing for those two officers to do; they'd get \$20 an hour instead of \$40. Chairman Massey didn't think that was practical because the officers would be paid under a union contract. Selectman MacLean said not if they volunteer their services. Chairman Massey said that would be another precedent they wouldn't want to pursue. Selectman Maddox asked what line item this was going to come from. Chairman Massey said his suggestion was for a motion to deny the request. Selectman Cole said he didn't like negative motions and would prefer a motion to accept and see how the Board votes. If the Board decides to approve the request, he asked what line item it would come out of. Chairman Massey said from the Police Department's current budget for detail officers. The officer would still be paid, even if the Board waived the cost for the people putting on the fundraiser.

Motion by Selectman Cole, seconded by Selectman Maddox, to approve the request to waive the cost of a police detail for this fundraiser.

Motion by Selectman Stewart, seconded by Selectman Cole, to defer to the August 9 meeting, to include a record of other events that either the Police or Fire Department have done on Town time where the Town has paid the cost.

Selectman Stewart wanted to know if the individual for whom they are having the fundraiser was a Hudson resident. Both the Fire Department and Police Department have done a lot of charitable work for the little boy named Ethan. Some of them have done things on Town time and have been paid for it. Chairman Massey asked if she'd also include a record of other events that either the Police or Fire Department have done on Town time and, therefore, the Town has paid the cost. Selectman MacLean said Wal-Mart donates things to the Town, so she thought this person could be asked to contact Wal-Mart and ask them for that donation. Maybe they would be happy to do it. Or maybe the Selectmen could call Wal-Mart themselves. Chairman Massey said the Board should deal with the request that is before them.

Vote: Motion to defer carried 4-1. Selectman MacLean voted in the negative.

(Start Tape 4-A)

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

**Rick Maddox** said the Board would soon get a copy of the Master Plan in their packets—oodles of non-stop facts and fiction. The Board now needs to get involved in the process that is winding to, hopefully, the end of its life. A number of chapters are setting where the Town of Hudson is going, at least in the Master Plan. The Selectmen need to take a look at that and see if that's what they really want to have in the book. He assumes they will be getting copies shortly. It's an on-going document that has gone through many people at NRPC. The Board of Selectmen needs to look at it. The Planning Board has looked at it from a planning perspective, but the Town is changing and the Selectmen want to reflect where the changes are where they want them to go, and how they are to be directed, in the Master Plan. It is something the Board needs to look at. Selectman Cole asked if they were in a bit of Hatfield and McCoy with NRPC about nine months ago concerning this draft, and if it was resolved as far as the Planning Board was concerned and what the Town will be getting is the results of a compromise between the Town and NRPC. Selectman Maddox said yes, but not to wind him up on the Master Plan. The Town paid \$30,000 and has to correct grammatical and spelling errors. A new person has it because the last person left NRPC, but it is still slogging its way through the system. He expects the Selectmen will get copies for input to some important items for the Town over the next 10-year cycle of the Master Plan.

At a recent Planning Board meeting, the Qroe Farm people came in as it pertains to Nadeau Farm. (He displayed the proposed drawing on the easel.) It was a conceptual meeting, with only two pages—the drawing and what they believe they are entitled to under the zoning ordinance. They gave an overview of the basics, of what they would like to do. It was a short-lived visit to the Planning Board, but he wanted the Selectmen to know about it. The Selectmen were given a copy of the brochure that they had given out. The Planning Board thanked them for coming in and looked at the items they wanted, some of which were interesting, such as road widths and shared drives that will certainly need to be worked through. It is a large parcel of land with a creative use, one of which has not been done in Hudson before, and he wanted to see if anyone had any questions. Selectman MacLean was there. Because the Planning Board didn't bring out the machetes, he thinks they walked away thinking all was well, but it still has a long way to go before it gets to the final version because the devil is always in the details. This is just an overview of 30 house lots on a very spread out parcel of land. He went to one of their original sites in Dartmouth, MA—they got a vineyard, but he didn't know if Hudson would be so lucky. It was an interesting layout of the land and they did keep a lot of open space. The road network was very narrow, as they are proposing here. It was a nice enclave and it will be interesting to see what the final outcome is here. He will keep the Selectmen apprised as they go through the Planning Board cycle. Chairman Massey said Town Planner John Cashell is going to provide the Board with a copy of the minutes of that session, as soon as they become available.

**Terry Stewart** said the Police Chief said this year, they have 3,360 dogs in Hudson, but only 2,519 dog owners licensed their pet this year, which means there are 841 dogs that remain unlicensed in Town, the largest amount we've ever seen. Notices were mailed to each dog owner informing them they failed to license their dog by April 30 and have been assessed a civil forfeiture fine of \$25. This fee is in addition to the regular license fee. Before they start issuing court summons for 'Fido,' it might be best for the dog owners to come into the Town Clerk's Office and make their dogs legal.

She said she is going to keep bringing up this subject until it goes away, hopefully by the spring of 2006. When Jessica Lundford was murdered in Florida on February 1, she contacted Police Chief Gendron and State Reps Ober, Buhlman and Renzullo and Senator Clegg. When the government cared more about Martha Stewart being late from buying a loaf of bread at the bakery than sex offenders living amongst us, and realizing how weak Megan's law is, not only in New Hampshire but nationwide, it came home when a sex offender moved in next door to her. It became personal. There was no notification to the nearby homes. She urged people to contact their State Reps, Senators and Congressmen to have a nationwide Jessica Law. For those not familiar with Jessica's Law, it carries a minimum 25-year sentence with no parole for first offense. Once released, a lifetime GPS tracking system. The Court needs tougher laws when sentencing these people. To the members of the ACLU and others like them, how can they look into the faces of the children who have survived and look into the faces of the parents who bury their children. These children had rights. She asked if they would change their minds if it happened to a family member. She thanked Senator Clegg, Representatives Ober, Buhlman and Renzullo for their help in getting Jessica's Law bill passed in the State of NH, and the Police Chief Gendron and his department. In today's Telegraph and Union Leader, she is not alone in feeling that was in getting this passed in the State of NH. She has copies of Jessica's Law, if anyone is interested.

**Bill Cole** extended, on behalf of the Board, congratulations to Fire Chief Murray, who recently returned from the National Fire Academy, where he completed his fourth year of participation in the Executive Fire Officer program. This is a four year program that requires at least two weeks of resident training for each of the four years. The Academy is located in Emmetsburg, MD. The number of areas covered in this four-year period are almost limitless, but include leadership, community risk reduction, executive development and emergency management. The Chief did an outstanding job from all indications and Selectman Cole was proud to congratulate him on his completion.

Warrant Article 15, Water Utility Clerk, that was passed at Town Meeting. He asked about the status of that. Chairman Massey said it is going to be posted next week or the week after, with a September 1<sup>st</sup> start date. As soon as the article passed, several applicants submitted their applications.

On Thursday, July 28 Community Development Director Sean Sullivan and he will be meeting with the members of the Chamber of Commerce to the ad hoc committee that the Board approved to take a look at the possibility of having a second annual Economic

Development Conference in Hudson, possibly next Spring. He will report back to the Board, following that meeting.

The next negotiating session with the Firefighters' Union IAFF is scheduled for August 3. He anticipates having something back from the Union for the Board to review.

Chuck Gilbert is retiring from the Police Department at the end of the month, after 29 years of loyal and dedicated service to the people of the Town of Hudson. There will be a retirement party for him on Saturday evening at Kings Court, beginning at 6:00.

Selectman Cole asked for an update on the RFP for the looping project in the south end of Town. Chairman Massey said Tom Sommers hasn't given him an answer, but he will check with him the first of next week.

Selectman Cole asked about the RFP for the new pumping station. Chairman Massey said Tom Sommers was in the process of working on the bid spec with Weston & Sampson. The plan right now is, given the costs and the schedules for construction, they will probably recommend to the Board to do the Holly Lane portion of the water line this fall, with Town resources. They would put the bid out for early winter, with construction to start at the beginning of construction season next year. Tom believes they will get a much better price if it is constructed next spring than if they try to construct it late fall, early winter.

Former Selectman Seabury will be going into the hospital for a knee replacement operation on August 2. He is sure everyone wishes her a complete and successful operation and a full and speedy recovery.

**Kathleen MacLean** said the Board still has one more meeting before Old Home Days, but she wanted to let everyone know that the Hudson Community Television crew is going to be out in their mobile unit, with cameras in hand and information and forms to fill out, if anyone is interested in programming or coming up to members of the committee to learn how to get involved. She said, at this time, she wanted to make a motion—the simplest thing that has ever happened since she has been on the Board. The Policy and Procedures Manual for the Cable Utility Committee was voted on at the last meeting to include DVD's. They have new equipment now, so DVD's can be accepted. It's as simple as that. They are just adding that they can accept DVD's. They don't have the old language or the new language in front of them, for which she apologized, but it is so simple she was hoping to just make the motion to include the acceptance of DVD's into the Cable Utility Policy and Procedures Manual. Chairman Massey thought it would be more appropriate to have it on the agenda for August 9. Selectman MacLean said she'd like to make the motion, anyway.

*Motion by Selectman MacLean, seconded by Selectman Cole, to amend the Policy and Procedures Manual of the Cable Utility Committee to now accept DVD's failed 2-3.* Selectmen MacLean and Cole voted in favor. Chairman Massey said it's appropriate, when they are updating policies and procedures that it is done in a formal way, even if it is a single item. Selectman MacLean said it's not an item; it's simply adding three letters. Selectman Cole added that they don't always do well with simple.

**Ken Massey** said he had good news. In the Town's checking account today, they received the money for the placement of the bond for the water refinancing and for the water upgrade projects. They now have the money to move forward in both areas.

He is meeting tomorrow morning with Senator Clegg, Representative Renzullo and Commissioner Murray to start the process of understanding the steps needed to take that would culminate in having a third bridge across the river. Commissioner Murray has indicated she is looking forward to the meeting.

There has been a lot of conversations lately about emails. Recently, the Board received distribution of a set of memos produced by the attorneys—one is 2003 and one just recently—that has case law from NH Supreme Court on the use of emails by public officials. Tonight, the Board received copies of Attorney Buckley's answer to a list of questions that he addressed relative to confidentiality issues. The questions dealt with Board to Board members and department head to Board issues. It would be worthwhile for Board members to read all of that material, especially with regard to case law. Because of his on-going concern of security on the internet, he has asked the Town's IT Manager to, during the budget cycle this year, look at what it would take to bring our email system inside the Town's firewall. As of today, our emails are outside the firewall, which means we don't control the storage of those emails; they are controlled by a consortium called seresc. They may not physically do it next year, but it's something the Town really needs to look at in light of the whole issue of emails.

Chairman Massey thought he might be the cause of some consternation on the Joint Committee program. As background, the Joint Committee was formed as a result of the work that was done to recommend that the School District disband from School Union 27 and form its own. As a result of that, there was a recognition that there were potential areas of collaboration between the Town and the School District that could achieve synergy and, in many cases, cost savings. The original idea was purchasing and payroll and they also looked at health benefits. There is a meeting now scheduled for August 2. The original idea was to look at ways to combine the efforts of the Conservation Commission and the Forestry Department at Alvirne, with some form of collaboration with UNH, for a better idea of a 10-year management plan and use of Town properties, relative to conservation and/or recreation. He strongly believes that the leadership of that committee should be from the School and/or Town. He wanted to be on record saying that, although there are key areas that the

committee should be looking at, that should not preclude them from looking other areas, especially the one that Rick and Kathleen have put on the agenda for August 2. The key areas, from his perspective, would be joint purchasing, telecommunications and IT infrastructure. That's what he would like to see that committee have as its prime focus, knowing full well there will be other areas that show up. In all cases, it's an advisory committee that's to come back with a recommendation to both the Board of Selectmen and the School Board, with a proposal that the Boards would look at and determine whether or not to go forward with, and then there would have to be additional work done to make it happen. With that, he would like to see them move forward. The item that got this started might be interesting, but long term, the committee should be looking at a more broad area of collaboration between the two parties. Selectman MacLean said, as liaison, she would keep the Board informed. Chairman Massey apologized for any consternation or perturbation that occurred.

**10. NONPUBLIC SESSION**

Motion by Selectman MacLean, seconded by Selectman Stewart, to enter Nonpublic Session under RSA 91-A:3 II (b) hiring of a public employee; and (d) consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party whose interests are adverse to those of the general community, carried 4-0 by roll call vote. (Mr. Cole was out of the room.)

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Nonpublic Session was entered into at 9:35 p.m. and was terminated at 10:15 p.m.

Motion by Selectman Cole, seconded by Selectman Stewart, to seal the minutes of Nonpublic Session carried 4-1. Selectman Maddox was opposed.

Motion by Selectman Maddox, seconded by Selectman Stewart, to hire Albert Antosca as a call firefighter, effective August 1, 2005 at an hourly rate of \$7.50 per hour, carried 5-0.

Motion by Selectman Stewart, seconded by Selectman Cole, to hire Shawn O'Donaghue as the 2005 Soccer Director for the fee of \$1,250 and Leslie Desrosiers as Assistant Soccer Director for a fee of \$750, both effective August 1, 2005, carried 5-0.

**11. ADJOURNMENT**

Motion by Selectman Stewart, seconded by Selectman Cole, to adjourn at 10:19 p.m. carried 3-2. Selectmen MacLean and Maddox voted in the negative.

Recorded and Transcribed by Priscilla Boisvert  
Executive Assistant

HUDSON, NH 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