

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the June 14, 2005 Meeting**

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

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

**Staff/Others:** Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Richard Gendron, Chief of Police; Dave Yates, Recreation Director; Shawn Murray, Fire Chief; Kevin Burns, Road Agent; Jim Michaud, Assessor; Tom Sommers, Town Engineer; Administrative Aides Linda Corcoran, Kathleen Wilson, Pam Lavoie and Betty Holt; Atty. Brad Westgate; Peter Noury; Tony Basso; Ben Nadeau; Ray Rowell; Leo Bernard; Howard Dilworth, Jr; Joe MacLean; Boy Scout Justin McKeeney and his mother, Susan; Mike Keegan, Scout Master; Elise Comtois, Lowell SUN

**Certificates of (Longevity) Appreciation**

- 1) **Master Patrol Police Officer Charles Gilbert** (29 years) was unable to be present. Chief Gendron received the certificate on behalf of MPO Gilbert.
- 2) **Pam Lavoie, Planning Department** (15 years) was present to accept her certificate, presented by Chairman Ken Massey, with the Board's thanks and appreciation.

4. **PUBLIC INPUT** (5 minutes per speaker; BOS response to be taken up under Other Business)  
There was no response when Chairman Massey asked if anyone wished to address the Board at this time.

5. **NOMINATIONS AND APPOINTMENTS**

A. **Building Board of Appeals** – 1 Member, Term to expire 12/31/07

B. **Sewer Utility Committee** – 1 Alternate, Term to expire 12/31/05

**Ben Nadeau** said he attended the last Sewer Utility Committee meeting and felt it was something he'd like to be involved in.

*Motion by Selectman Cole, seconded by Selectman Stewart, to waive the normal procedures and appoint Mr. Nadeau to the Sewer Utility Committee as an alternate, with a term to expire 12/31/05, carried 5-0.*

C. **Zoning Board of Adjustment** – 1 Alternate, Term to expire 12/31/05

6. **CONSENT ITEMS**

Chairman Massey asked if any Board member wished to remove any item(s) for separate consideration. Selectman MacLean removed 6-C. Selectman Maddox noted there is an NRPC meeting tomorrow night.

*Motion by Selectman MacLean, seconded by Selectman Cole, to receive consent items A, B, D & E, as noted or as appropriate, carried 5-0.*

A. **Assessing Items**

- 1) 2004 Abatement, 12 Executive Drive, w/recommendation to approve.
- 2) Tax Deeding Error, Map 175/Lot 63, Lakeside St, w/recommendation to approve a quitclaim deed, IAW legal opinion.
- 3) 2004 Abatement, 8 Roosevelt Avenue, w/recommendation to approve.
- 4) 2004 Abatements, Map 143/Lots 12-19; Map 152/Lots 14 and 16-24, w/recommendation to approve per settlement agreement w/17 Hudson Associates.
- 5) Elderly Exemption, 8 Hardy Road, w/recommendation to grant.
- 6) Excavation Tax Warrant, 176 Webster Street, w/recommendation to approve.
- 7) Current Use Lien Release, Map 124/Lot 15 w/recommendation to approve.
- 8) Abatement for Veteran's Credits, 25 Pine Road, w/recommendation to approve.
- 9) Property Tax Settlement, 17R Richman Road, w/recommendation to approve.

B. **Licenses and Permits**

- 1) Raffle Permit by GFWC Hudson Community Club to raffle off theme baskets on June 4 to benefit Hills Memorial

Library (pre-approved by BOS on 5/27/05)

- 2) Block Party Permit by Katie Thibault on Fairway Drive from Noon – 4:00 p.m. on Sunday, June 26
- 3) Request by Tyngsboro Baseball All Stars to collect funds at Market Basket on June 18, from 9– 3

**C. Other**

**Receipt of a \$250 donation from the Merrimack Valley Beekeepers to the Recreation Department**

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

**D. Acceptance of Minutes**

Minutes of the Selectmen's Meeting of May 24, 2005

**E. Committee Announcements**

6/15 5:30 Water Committee Meeting in BOS Meeting Room

6/15 6:00 Library Trustees in the Ferry Street Annex

6/16 7:30 Budget Committee in BOS Meeting Room

6/18 9:00 a.m. Town Auction @ Highway Garage

6/20 6:30 School Board in BOS Meeting Room

6/20 7:00 Conservation Commission in CD Meeting Room

6/21 6:30 Special BOS Meeting in BOS Meeting Room

6/22 7:00 Planning Board in CD Meeting Room

6/22 7:00 Cable Utility Committee in BOS Meeting Room

6/23 1:00 Trustees of the Trust Funds in BOS Meeting Room

6/23 7:00 Lower Merrimack River Committee in BOS Meeting Room

6/23 7:30 ZBA in CD Meeting Room

6/28 7:00 BOS in BOS Meeting Room

7/04 Town Hall Closed for 4<sup>th</sup> of July Holiday

7/06 7:00 Planning Board Workshop in CD Meeting Room

7/11 6:30 School Board in BOS Meeting Room

7/12 7:00 Board of Selectmen in BOS Meeting Room

7/13 7:00 Benson's Committee in BOS Meeting Room

7/13 7:00 Planning Board in CD Meeting Room

7/14 6:30 Recreation Committee @ Rec Center

7/14 7:00 Sewer Utility Committee in BOS Meeting Room

7/14 7:30 ZBA in CD Meeting Room

7/16 Saturday--IAFF Boot Drive @ Intersection of Ferry/Chase/Derry Streets

7/18 6:30 School Board in BOS Meeting Room

7/18 7:00 Conservation Commission in CD Meeting Room

7/19 7:00 Cable Utility Committee in BOS Meeting Room

7/20 5:30 Water Utility in BOS Meeting Room

7/20 6:00 Library Trustees @ Ferry Street Annex

7/21 7:30 Budget Committee in BOS Meeting Room

7/26 7:00 Board of Selectmen in BOS Meeting Room

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

7/28 7:00 Lower Merrimack River Committee—Location TBD

7/28 7:30 ZBA in CD Meeting Room

*2005 Cleanup Days at West Road landfill*, Saturdays, 8-2 on June 25, July 30, August 27, September 24, October 22 and November 19. *Curbside Leaf Collection* scheduled for Oct 22 & Nov 5.

**7. NEW BUSINESS**

**A. Welfare Guidelines**

Town Administrator Steve Malizia said State RSAs dictate that towns and cities are required to have welfare guidelines, adopted by the governing body. According to the records researched by Linda Corcoran and Kathy Wilson, the last time the guidelines were adopted was in 1986, so they need to be updated. Right now, the guidelines are a one-sheet page that lists rates for rent, food and housing, depending on family size. Kathy and Linda have put in a lot of work to put together a set of guidelines to help govern town welfare and to lay out the process and forms that should be used. NHMA has local welfare guidelines, which the Town used, inserting "Town of Hudson." These guidelines protect the client and the Town. Some folks struggle a lot trying to make ends meet, but some folks use the system, and the Town doesn't really have the protection it needs by having a clear set of concise guidelines. Kathy and Linda have been working to adapt the NHMA guidelines to the Town, making sure they have all of the necessary forms and documents. They've also taken the effort to update the actual guidelines for rental assistance, food, utilities, etc. The welfare budget has been around \$125,000 for the last few years, driven by economics. The Town clearly needs

something the protects the Town and lays out the processes. Kathy Wilson is the primary welfare contact for the Town and Linda Corcoran is the backup. If they were not able to do those duties, it's important that someone else could come in, pick up a manual with the necessary forms, to follow. When Kathy took over the duties, she had to rely on Linda's historical knowledge of what the previous welfare administrator did. These guidelines lays out the Town's assistance policies, etc. and is being presented at this time for adoption, with his recommendation. There were no questions for the Town Administrator, but Selectman MacLean said she totally trusts the people who put this together, but she hadn't seen the backup documentation and, therefore, would abstain from voting because she hadn't read it.

*Motion by Selectman Cole, seconded by Selectman Stewart, to adopt the updated Town of Hudson Welfare Guidelines (edited and adapted from NHMA's Model Guidelines) effective July 1, 2005 carried 4-0. Selectman MacLean abstained for the reasons she previously stated.*

**B. Boy Scout Project at Hudson Community Center**

Chairman Massey recognized Scout Justin McKeeney, Scout Leader Mike Keegan, and Recreation Director Dave Yates. Justin McKeeney said he got the idea from another Scout leader to replace the signs, since the building is now officially the Hudson Community Center. They can either make a sign out of oak, or some other material. Or they can make letters out of special foam blocks and paint them, which would be nailed into strips of wood and screwed on to the building. He also plans to paint the trim on the facility. Mr. Yates said Justin spoke to him and appeared before the Recreation Committee. They didn't think replacing the sign was a big enough project and suggested that the trim and gables be painted, as well. The Town would supply the paint and Justin would serve as the project manager, since only adults will be allowed on the roof and to do the painting. Mr. Yates said the committee thought it was a great idea because this is a much-needed project. They highly recommend Board approval. Selectman MacLean clarified an error in the letter submitted by Justin McKeeney, which said that the former Lions Hall now belongs to the Rec Center, which was not true. The Hudson Community Center belongs to the Town. Selectman Maddox said there were two angled roofs of a good height. He wondered how they would get up to the gables. Justin said his mother works for a construction company, who promised a couple of (not discernable) lifts. He believed they would be capable of reaching the peak on the second roof. Selectman Cole asked if any other scouts would be involved in this Eagle project. Justin said they would most likely help out with the sign, if he goes with the foam sign. If he goes with a wooden sign, the other scouts can probably help him paint it. Selectman Cole said this project should be an opportunity for Justin to display leadership ability to other scouts, not his family, who will help out anyway. He asked if the scouts liability policy covered the adults that would be helping. Mr. Keegan said yes, he checked with the national office on that. They already have a certificate on file at Town Hall because they use that facility for their meetings, but they will provide one specifically for that project. Selectman MacLean asked who pays for the paint, if it came from the Rec Center budget. Mr. Malizia said in FY-05 budget, monies were put aside specifically for painting. This works out quite nicely because the Town won't have any labor costs. \$6,000 was earmarked for painting the exterior. Most likely, the funds will be encumbered in order to purchase the supplies needed for the project. Selectman Maddox thought the Rec Director was looking into vinyl siding for the area where the sign is going to be mounted. He wondered if that was something that should be done before this project is, so the sign won't have to be taken down once it is put up. Mr. Yates said that a contractor quoted him a price of \$9,000 to do the gables, which was way over their budget of \$6,000. The vinyl siding would look much nicer and would last longer, but they decided on having the gables painted instead because of the cost factor. Selectman Maddox said it would make sense to at least do the highest peak where the sign is going to go. He wondered if just that piece would be under \$6,000. Mr. Malizia said the \$6,000 can be encumbered and then they can find out how much just that one section would cost. Selectman Maddox said the fewer times someone has to go up to that area, the safer they will be.

*Motion by Selectman Stewart, seconded by Selectman Cole, to approve the work proposed to be done by Eagle Scout Candidate Justin McKeeney to the Hudson Community Center, as outlined in Recreation Director Dave Yates' memo "Lions Hall" dated June 9, 2005, carried 5-0.*

**C. Request for Authorization by Fire Chief to apply for 2005 NH Homeland Security Grant Program**

Fire Chief Shawn Murray withdrew this item because the department had budgeted funds for radio communications and they cannot supplant funds that have already been appropriated for the same purpose.

**D. 2005 Staffing for Adequate Fire and Emergency Response Grant (SAFER)**

Fire Chief Shawn Murray noted that the previous grant application was erroneously attached to this item, and should be removed. He read aloud the memo that he had forwarded to the Board on this subject. Selectman Maddox said on the spread sheet the base salaries for an EMT/paramedic is \$50,000 and they can have no more than \$100,000 for any one employee for that five-year time span. The federal share total for four firefighters is \$584,000; he thought it should be \$400,000. Chief Murray said the spread sheet just demonstrates how the figures would work out. It would be the total cost of four firefighter-paramedics. They it goes through each fiscal year and starts breaking down the costs. Selectman Maddox said there is five years and he didn't see how they would get up over \$400,000 of federal grant money, rather than the \$584,000. Chairman Massey said in looking at the spread sheet, in 2007 the total cost of four firefighters would be \$203,000 and 90% of that is \$183,000. In the second year,

because of step increases, that would rise to \$229,000 for the cost and 80% reimbursement would be the \$183,000. In the third year, you have the \$256,000 for salaries, only 50%. If you add all those, the total federal share would turn out to be \$584,000 and the Town's share would be \$767,000. Selectman Maddox said the Chief's memo said there is a maximum of \$100,000. Chief Murray said that's per position. A paramedic is \$50,000 a year. Selectman MacLean asked if that was per position, per year. Chief Murray said per position. A starting paramedic makes \$50,839. If he made \$100,000 that is the max that the federal government will pay for that one position in the grant. Chairman Massey asked if it was \$100,000 per position per year, or \$100,000 per position for the five years. Chief Murray said per position, per year. Selectman Maddox said he was still confused, but the Chief would get them the right numbers at some point—this was just the application.

Selectman Stewart referred to the section outlining the kinds of activities that are eligible for funding in SAFER and said she would support only #2, *Recruitment and Retention of Volunteer Firefighters Activity*. Hiring new people requires voter approval. If the voters don't approve this, the grant money will be lost. This Board supports the call force, so she'd prefer to go that route, rebuilding and retaining the call force.

(Start Tape 1-B)

Selectman MacLean said there is indication in several places that the grant is due on April 8, but the Chief said an electronic copy is due by June 29. She asked for a clarification. Chief Murray said the Feds were very late in getting the paperwork out. It was supposed to be out in April, but it didn't come out until June. Selectman MacLean asked him to respond to Selectman Stewart's comments. Chief Murray said they are looking towards the future—the growth of the Town, with all of the building that is going on and projected population increases. They often have back to back calls and are using up all of their on-duty resources. He supports a call force, but that will not provide the department with the staffing they need to respond to daily emergencies. While they maintain a force of 15, the numbers continue to decline because of increased training and requirements for staying on the force. They have to spend a lot of time just keeping up their certifications. Many of the call firefighters have full time jobs and/or family responsibilities. He didn't know what Selectman Stewart's thinking was relative to funding and maintaining a call force. He is supportive of higher pay and incentives, but the reality is it's a dwindling force, not only in Hudson, but nationally. Hudson is fortunate to have the call firefighters they do have, but it's a declining entity. The department needs a full time staff because of the increase in calls. Selectman MacLean asked if the application had to be either one or the other. Chief Murray said it can be a combination and they'd be willing to look at that to see if there was some innovative funding that would allow them to recruit and retain call firefighters. Selectman MacLean asked if there were separate articles for each firefighter, or if it was one article to hire five people. Selectman Cole said one article. Selectman MacLean felt they should consider what they think might pass.

Selectman Maddox said the spreadsheet from the web site looks like they are going to pay \$100,000 over five years, so he'd like to know how the \$584,000 happens. It looks to him like they are just going to get \$400,000. Selectman Cole said \$400,000 is the answer to the question. Relative to Selectman Stewart's comments, the call force is respected and a valued part of the Fire Department, but it's not the future—for any number of reasons, but not for lack of interest. Hudson's call force may involve into a specialty operation, possibly emergency services, something of its own making over the years to come. The need they have now is the Robinson Road Station that has to be manned eventually by full-timers like they did with Burns Hill. They start by getting people on the force, get them trained, get them experienced and, over a period of years, build that group up so Robinson Road can be manned. The Board supports the call force, which is like Mom and apple pie, but it's not the future and it does not meet the needs of the Town. A week ago, there were three incidents on a Sunday, all in the Robinson Road district—bing, bing, bing—a structure fire, brush fire and a propane tank. Selectman Maddox said this was just an authorization to submit an application. Chairman Massey said he did not intend to vote for this because he believes it is premature. They haven't established what it is they are going to go after and he didn't want to wind up having to explain why, if it should come to that, that he wouldn't want to vote for one or more of these positions to be in a position of saying but you voted to apply for the grant. This is putting the cart before the horse. Selectman MacLean asked if the Town would get penalized if they don't spend the money, if the Town is awarded the grant. She wondered if there would be a problem if the Board decides to authorize only two firefighters instead of four. Chief Murray said he will specify in the grant that they are looking for four people, but it's predicated upon what the Board does in the future. If the Town is awarded the grant, and the Board decides on anything less than four, he would notify the Feds that there was funding only for that amount. Chairman Massey and Selectman MacLean said if the voters say no, then it's zero at that point. Selectman Cole wondered, if that was the case, why the Chairman was reticent about going forward with this. Chairman Massey said because they were putting the cart before the horse; the Board hasn't established the need or how it will be filled and he didn't want to be in a position of having to support a grant and then, for whatever the reason, not support the other one. Selectman Cole requested a roll call vote.

*Motion by Selectman Cole, seconded by Selectman Maddox, to authorize the Fire chief to apply for the 2005 Staffing for Adequate Fire and Emergency Response (SAFER) Grant of the US Department of Homeland Security (DHS) carried 3-2.* Selectmen Massey and Stewart were opposed.

#### **E. Fire Pumper Truck**

Selectman Maddox said Selectman Cole, the Chief and he spent a lot of work trying to see if they could do multiple things in regard to the fire pumper. This item was to find out where they were in the process in order to make decisions on how they are

going to go forward, as they are getting to the end of the fiscal year. The Chief and Chairman Massey did some recon work, going out to see what was available at the shows. He was wondering if they found anything, if they had any further information as to the rehab of the newer of the two KMEs and if they found anybody who wished to buy the older one so they can package this up and how they would financially do it. He deferred to Chief Murray, who said they went out for RFPs, which were opened on May 31. There were six vendors, with prices ranging from \$320,000 - \$346,000. They are now involved in an extensive breakdown of all the information to ensure the requirements of the RFP is met. Last Thursday and Friday, Chairman Massey, Capt. Weaver and he traveled to Syracuse, NY for the Fire Chiefs' Convention. They visited the exhibits, met with a number of dealers, including KME, Pierce, Fierra, American LeFrance and Crimson and discussed their needs. Only two demonstration units (units built at the factory and sent to the dealers for the show) were actually for sale and met most of their specifications, but they were too tall. The maximum height in Hudson is 113" and these were 116" and 120". They got a good look at what's out there and are looking forward to going to Springfield to see if anything new pops up there. Relative to the refurbishment when the three of them met, they discussed looking at refurbishing either the 1990 or 1992 KME. He informed Selectmen Cole and Maddox he would go out and get estimates. He received one back, but he is waiting for another vendor from Massachusetts to give them an idea if the refurbishment effort will be cost effective. As part of the RFP package, he asked the vendors to provide them with a trade-in value of a fire engine, but the numbers weren't looking too good on that. All of that is predicated on where they end up at the Springfield convention. His intention is to come back to the Board on the 28<sup>th</sup> of June, after the convention. They can make a decision after they have all of the information on what direction they want to go. After that decision is made, they have to decide whether or not to trade in one of the engines. All of the vendors gave different levels of the trade-in from \$2,000 to \$12,000. Selectman Maddox said the vendor who offered \$12,000 probably gave the bid of \$360,000. Chief Murray said that was correct. Selectman Maddox said he's been doing his homework on fire trucks that shows there is a market for vehicles, so they may be able to take the trade-in out of the mix at the show and try to unload it on e-Bay. There is a 1988 KME for \$55,000. If they go with the new, custom built truck through the RFP, there is a 300-day waiting period, of which breakdowns and costs are going to continue to accumulate. He hopes they will see something in Springfield that is doable, that can fit the needs of the department and fit into the station, that they can turn around quickly and get rid of a vehicle that will probably cost \$20,000 over that 300-day period that they can eliminate. Since the \$350,000 that was allocated by the voters effective July 1 cannot be used for anything except buying a fire truck, if they refurb an engine, say \$40,000, off of that engine, he asked if the Board would be willing to take money out of the FY05 contingency or other line items in the Fire Department budget, encumber that money to get the refurb done, and the difference off of the truck price would then revert back to the General Fund. He wanted to make sure they have all their ducks in a row to make some money and turn this thing around.

Chairman Massey said there were a lot of fire trucks at the show, but he saw only eight that they could have gone after. Of those eight, the majority was way over the height limit. Even if they were for sale, which they weren't, they would have been too high for Hudson's low-hanging roof. Selectman Stewart asked what the price range of those trucks were. Chief Murray said anywhere from \$280,000 to \$396,000. Chairman Massey didn't think the vendors were willing to negotiate a price. Selectman MacLean asked if it was the overhead door that wasn't tall enough, or if it was the ceiling. Chief Murray said the frame of the garage door, but there are Modine heaters and everything else that fall within the 115" range. Chairman Massey said the absolute height is 113" because there is an incline as they come out the door and they are just barely making it. Selectman MacLean asked if it would be financially feasible to refurbish the station in order for an engine to fit. Chief Murray said they had the Engineering Department calculate angles of approach and incline and 113" is the max. To cut out a new door frame, it would probably cost \$20,000-\$30,000. Selectman MacLean thought it might be worth looking into.

Selectman Cole didn't understand Selectman Maddox's statement about the cost of refurbishment takes it off the price of the truck. Selectman Maddox said, in his mind, the \$350,000 is the number. If they were to get a truck for \$310,000 they would have \$40,000 left. He would like to see them rehab the 1992 KME to get a couple more years out of it. If they spend only \$310,000 they would be putting \$40,000 back into the General Fund--getting rid of selling the '90, refurbing the '92 and buying a new truck. Selectman Cole asked where they would get the money to pay for the refurb, if they pay \$350,000 for the truck. Selectman Maddox said he guessed they wouldn't be able to. Selectman Cole said Selectman Maddox had also said something about contingency. Selectman Maddox said in order to finance that, they can't take the difference between what they pay for a new truck and the \$350,000 because the warrant article is only to buy a new fire truck, so he was thinking that if they spent only \$310,000, that \$40,000 would revert to the General Fund. If they used the money from Contingency for FY05 and encumbered that to do the refurb, they would have effectively spent \$350,000, got a brand new vehicle and one refurbished one. Selectman Cole said they got a partial listing from Valley Fire Equipment which, to him, looked like cosmetic work, and it came in just under \$60,000. There was nothing in there about the power train, the brakes, etc., the major components that are going to cost them big dollars. He estimated that to bring the '92 KME up to speed would be in the range of \$100,000.

Chairman Massey said on the 28<sup>th</sup>, they'd be looking to see a recommendation on the bid and/or potential truck that might be found at the Springfield show, and a picture of what it would cost to refurb the second and, if it's feasible, based on the financing, whether they would then look at authorizing the refurb. Selectman Maddox said he just wanted some discussion before the last minute. Selectman MacLean asked if the refurb work was under warranty. Chief Murray said it is very limited, only from the vendor back to the station, because once they get it back, something else may go on it.

**F. Water Utility Bonds**

Town Administrator Steve Malizia said this was for the refinancing of the current outstanding water bond, as well as issuing of the new bond for \$2.35 million. There is a warrant article that authorizes the Town to issue a new bond for water utility capital improvements. He received this document from bond counsel, who he has been working with to process this transaction. The Town will do one transaction for both bonds, thereby saving a \$15,000 fee with the bond bank. The six-part motion also comes from bond counsel, which the Board must vote on in order to proceed with the advanced refunding and the new financing money. Chairman Massey said this is made possible by the fact that short term rates are increasing and long term rates are either not rising or are coming down and as long as that pattern continues, the Town continues to experience a very favorable rebonding. Mr. Malizia said that works to the Town's benefit. Chairman Massey said, for the viewing audience, they were refinancing the water bonds that matured in 2028, but begin to mature on an annual basis. As a result of this action, the Town will save in excess of \$1.2 million in interest at the current way the short term and long term bonds are going, which would reflect at least \$50,000 a year in decreased cost that the water utility would have to bear for the bonds that are paying for the purchase of the water utility. Because of the way it is done, they've been able to tie the water utility capital improvement bond into this and, as a result, save an additional \$15,000 in administration fees. He thanked Town Administrator Steve Malizia, once again, for having gone the extra mile on this--a big asset to the Town.

(Tape 2-A)

Motion by Selectman Stewart, seconded by Selectman Maddox, 1 )That the Town shall issue a bond for water purposes (the "Water Project") in the principal amount of \$2,350,000 (the "Water Bond") under and pursuant to the Municipal Finance Act, the New Hampshire Municipal Bond Bank Law and a vote of the Town passed March 8, 2005 (Article 5), and the Town shall issue a bond for refunding purposes (the "Refunding Project") in a principal amount not to exceed \$21,000,000 (the "Refunding Bond," and together with the Water Bond, the "Bonds") under and pursuant to the Municipal Finance Act, the New Hampshire Municipal Bond Bank Law and a vote of the Board of Selectmen passed at its meeting held on May 24, 2005 (the "Refunding Bond Meeting"); 2) That each Bond shall be issued as a single registered Bond, dated as of its issuance date and sold to the New Hampshire Municipal Bond Bank (the "Bond Bank") at the price of at least par; 3) That the Treasurer and any member of the Board of Selectmen are authorized to determine the form, the maximum interest cost rate, the premium, if any, and the annual principal maturities of each Bond, and the final principal amount of the Refunding Bond, and to execute a Loan Agreement with the Bond Bank to evidence the sale and award of each Bond, such form, maturities, premium and the interest rate or rates of each Bond, and the final principal amount of the Refunding Bond, to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of each Bond; 4) That all things heretofore done and all action heretofore taken by the Town and its officers and agents in its authorization of the Water Project and the Refunding Project and its financing are hereby ratified, approved and confirmed; 5) That the Clerk and the signers of the Bonds are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including delivering the Bonds against payment therefor; and 6) That the expected useful life of the improvements being financed by the Water Bond is hereby determined to be in excess of twenty-five (25) years carried 5-0 by roll call vote.

**G. Cruiser Bids**

Police Chief Richard Gendron said they solicited bids and advertised in the Union Leader, Telegraph and HLN. Three Ford dealers responded—Hillsboro Ford, Grappone and Gladstone Ford. They are requesting authorization to purchase four Crown Victorias from Hillsboro Ford and an unmarked vehicle from Tulley Buick. The pickup from Dobles that was spec'd out on the lot has been sold, and they may not be able to find another vehicle like that one. If that is the case, he'd go with the second bid, the Dodge Dakota from Allen Mello Dodge for \$22,990. However, if he trades in any vehicle, he can get \$1,000 in trade. He'd like to use the vehicle slated for auction from the Fire Department, a 1983 GMC pickup, so the Board would have to remove that item. Everything comes up to \$113,000; they had budgeted \$127,500. The bids came in really good this year. Selectman Maddox had some questions about the figures on the actuals and asked if this purchase was going to be made in 2006. Mr. Malizia said no, this was from the current budget. Last year, funds had been encumbered because of the timing. Selectman Maddox said the Town should have some method of tracking vehicles that are purchased, like Nashua does, putting 06 for the Fiscal Year and then the number of the vehicle so that if one of these vehicles is given to Community Development, it can be tracked throughout its life—maintenance cost, etc. He knows the Police Department already does this, but some of the other departments don't. Selectman Stewart asked what year the trade-ins were purchased. Chief Gendron said one 2001 and three 2003's. Chairman Massey asked if the unmarked vehicle would have antennas and such, which would identify it as an unmarked vehicle. Chief Gendron said he hoped not, but he does have to equip it with low profile lights and even the radio is hidden. It's hard to avoid some antennas.

Motion by Selectman MacLean, seconded by Selectman Maddox, to approve the purchase five police vehicles four 2006 Crown Vic Police Cruisers at \$70,008 from Hillsboro Ford, a 2005 Buick LeSabre [unmarked vehicle] at \$21,823 from Tulley Buick and a pickup truck from Dobles Chevrolet of Manchester for \$21,500 as budgeted in the FY-2005 Police Budget carried 5-0.

Motion by Selectman Maddox, seconded by Selectman MacLean, to authorize the Chief of Police, in the event that the Dobles Chevrolet truck at \$21,500 is not available, to purchase a pickup truck from Allen Mello Dodge for \$22,990, less a trade-in of

*\$1,000 from an existing truck, and to remove the 1983 pickup truck from the auction, carried 5-0.*

#### **H. 2005 Data Collection Contract Extension (Assessing)**

Assessor Jim Michaud said an independent contractor is doing residential data collection on 2,000 properties. That contract is about finished. This contract picks up the next 2,000 properties for residential data collection. It's really phase two of a three-year effort to have the entire Town's buildings all revisited at least once in a walk-around and an inspection. The current contractor is doing a good job and has kept his price the same. He knows the software well and works well with them. There is money in the budget to cover this amount. Selectman Maddox asked if this was coming out of the FY2006 budget. Mr. Michaud said there will be an encumbrance request for the current budget and the balance will come from next year's budget, so it's a combination. Selectman Maddox said his budget book indicates that the Board reduced this last year, so he wondered how this could be done. Mr. Michaud said the estimate he put in was \$17.50 per parcel, but he came in at \$15 per parcel, so he can get 1,750 parcels from the FY06 budget. Combined with what is left in this year's budget, he can bridge the gap to accommodate the remainder of the properties. The budget discussion focused around the monetary issue as opposed to the number of parcels. Selectman MacLean asked about all of the abatement requests that the Board gets from people who have an issue with their taxes and, once it is checked out, it is often determined to be a calculations error. She asked if it was this company that was making those errors. Mr. Michaud said when the original re-val was done in 2002, they had attempted to do an interior inspection in every property, but they were not able to obtain 100% interior correctness, so therefore, it is estimated. Some of the errors are coming from estimates because they didn't get inside the person's home. Even this time around, the person out there doing the inspection can do his best to request an interior inspection, but people are not required to allow him to do that. In that case, they estimate. People generally only let you know the estimate is incorrect when they feel it is too high. Some of them may be human error, either in the field or in data entry, but many of the abatement requests are on properties they've never been in.

*Motion by Selectman Stewart, seconded by Selectman MacLean, to approve the data collection contract extension w/Rick Brideau for the 05/06 property tax years at \$30,000, as recommended by the Assessor in his memo of 6/14/05, carried 5-0.*

#### **8. OTHER BUSINESS/REMARKS BY THE SELECTMEN**

**Bill Cole** said he would be meeting tomorrow with the Governmental Affairs Committee of the Hudson Chamber of Commerce, as a follow-on to the Board's consideration during its goals and objectives meeting of possibly re-instituting an organization along the lines of HEDCorp, to get a flavor for what their interests are, some idea of what the Board's ideas are and see if there is a mutual understanding.

On May 26, he had requested a legal rendering with regard to the possibility of the Board adopting a moratorium on building in Hudson. They received a response back from Attorney Buckley dated 7 June, laying out some boilerplate responses. He requested that at the Special Meeting on June 21, Atty. Buckley be asked to attend to discuss this issue.

Relative to the developer agreements/draft agreements that have been coming out of the Planning Board, he's read about the different funds, little accounts--\$400 here, \$500 there. He wondered who keeps track of that so he can get an accounting for the last four, five years—where the money came from, which development it came from, which pot of money it went into, what it was expended on, what the current balances are. He wondered who tracked all of that. Selectman Maddox said Pam Lavoie. There are a lot of little projects—a road improvement. The Engineering Department holds the road bonds. Selectman Cole said a few years ago, a criticism was there were scores of little funds that couldn't be accounted for. No one knew why the money was there, etc. It seems they might be going down that same road again, and some of the funding mechanisms are quite unique. Before some embarrassing questions are asked, he'd like the Board to have a rendering of exactly what's out there, what it was intended for, what it was used for, and what the remainder is. Selectman Maddox said Pam has a listing the Planning Board sees periodically. The Planning Board doesn't really look at those, as that is done by Town staff. Chairman Massey asked the Town Administrator to have Sean Sullivan put that together for the Board. Selectman Cole asked who carries the ball on making sure there is such an XYZ fund. Mr. Malizia believed the Planning Department initiates it, then it goes to Finance. It gets assigned the next number in sequence and the money is deposited into a specific account and it gets tracked in the agency fees screens. He asked if Selectman Cole wanted to see every transaction. Selectman Cole said he wanted to see the funds that are out there, the monies that went into it, which developer agreement it came from and the expenditure rate of the ones the Town has control over. Selectman Maddox said the Planning Board controls the funds and the Board of Selectmen are the agents to expend.

Selectman Cole referred to the six attachments to the welfare guidelines that the Board voted on earlier. Selectman MacLean abstained from voting because she hadn't read the six attachments. He wondered how many of the other Selectmen read those attachments, because he hadn't. Selectman Maddox said he didn't. Selectman Cole said Selectman MacLean didn't have to abstain from voting just because she didn't read them. Selectman MacLean said she tries to read all of the backup, but she didn't see the welfare backup. Selectman Cole said he didn't want Selectman MacLean to think she was the only person who didn't read the backup.

Selectman Cole felt that the Qroe Farm conceptual presentation should have been made to both the Board of Selectmen and Planning Board. Qroe Farm/Nadeau Farm has a long and storied history in Hudson. While it may be going before the Planning Board next, it is going to end up, front and center, in the lap of the Board of Selectmen. He asked what the possible results of a conceptual presentation

were, at this juncture. Selectman Maddox said they come in for a very limited time, about 15-30 minutes, because all they are doing is giving an overview. They are trying to get a feeling of what the Planning Board likes and dislikes about the plan. He has some concern because of multiple houses off a shared driveway. They don't know if they will be graveled or paved. They will give a view from the Goodyear blimp; they will not get into the details of traffic, etc. If there is anything other than Planning Board purview, i.e., looking for tax dollars for open space, they will need to come to the Selectmen. There is always empty seats if any Selectman would like to attend.

**Kathleen MacLean** read a prepared statement relative to undocumented citizens the Town is dealing with. It wasn't much of an issue tonight because no one came to speak about it, but after the last meeting, she took to heart a lot of the things people said and she asked questions around. At the last meeting, she spoke off the cuff, so she wanted to read the statement she formulated in order to be clear about her position. "We all feel compassion for anyone who is trying to make a better life for themselves and for their families in the United States. Anyone born in the United States can truly say they are the luckiest people in the world and should be humbled and grateful to be American. Those people who were born in other countries, and have worked hard to become American citizens, can also say that they are proud to be American. Although I know very little about the greater laws of our country, I do believe that our Chief of Police does know, and while I am not a law enforcer as a Selectman, I am a law defender and believing that Hudson's Chief of Police is arguably the best Chief in the State, and knowing he is a man of highest integrity and character, I have to believe that he has only the best interest of all the citizens of Hudson as his priority. We live in a very different world, as of 9-11 and, while I don't think that anyone believes these particular undocumented citizens have a terror plan up their sleeve, I don't think the Chief or any other law-abiding citizen is willing to overlook any law out of compassion or generalization or complacency. The laws apply to all people. Those citizens who feel there is some sort of injustice happening here, or some sort of legal bypassing, I hope will focus their energies on the actual root of this issue—the laws themselves—and contact the people responsible for making or changing laws, locally or federally. Our Chief of Police is enforcing the law and we can ask of him no less. Thank you."

(Start Tape 2-B)

Chairman Massey said his comment to the Chief of Police is to continue what he is doing. People from all over the country have written countless letters to commend the Chief of Police and out of all of them, there have been only two negative comments.

**Rick Maddox** agreed that they have heard comments from people all over the country, and he thanked the Chief of Police for sharing them with the Board. The people they haven't heard from are the elected officials in Washington. He hoped they would soon weigh in on this situation for which Hudson, unfortunately, has been put in the spotlight.

The Memorial Day parade had a great turnout, even in the rain. All of the Selectmen were there, except for Selectman Stewart, even though they were not recognized as being there. He thanked everyone who came out to show their support on that important day.

He announced that Charlie Brackett had to tender his resignation from the ZBA because he is moving to Seattle, so there will be an opening for that position. If anyone is interested, their next meeting is June 23.

As a heads up item, the Planning Board will be meeting on June 22 and the Nadeau Farm will be coming in with a conceptual.

Tomorrow night, he gets to attend two meetings—the Library and NRPC. Relative to NRPC's bike path proposal, he asked if the Board had any input. Chairman Massey believed that NRPC was supposed to come back to the Board with a proposal. Selectman MacLean said she just recalled loving the presentation because she'd love to see more bike paths and sidewalks. Selectman Maddox said he had asked NRPC to be the magnet for obtaining grant money on a regional basis.

Last Sunday, Selectman Cole missed the Conservation Commission's walk through Musquash. The Town of Hudson does not realize they have over 400 acres in that conservation area. Over a dozen people were on the walk through the woods on a hot, rainy afternoon. The Conservation Commission is going to do this on a regular basis. The next place they are going to is a walk of the Town forest. It was an interesting time to see the amount of undeveloped land in the Musquash area.

In the paper, people saw his happy face collecting for the Boot Drive. As much as he appreciates his picture in the paper, there were a lot of hard-working people involved who deserves the credit--and there should have been a group shot of them in the paper instead of his picture. It was a beautiful day and it went very well, raising over \$7,000.

**Terry Stewart** said there is a great difference inside the Hudson Community Center. It's very well done, very classy, and will be further improved in the fall with the new floor. She thanked Kevin Burns and the Road Agent for all they've done down there by putting in a volley ball field and sand box area. As Kevin says, "If it's not on fire or a crime, DPW does it," and they did an excellent job—always ready to lend a hand. She thanked the volunteers who helped paint the interior of the building.

She and her husband attended the Varsity Awards Dinner last week that was held by the Alvirne Boosters Club. She thanked them for the hard work they did in putting that dinner on. Most of the varsity players are graduating. She thanked Len Lathrop for his hard work in putting together over 500 pictures for the show that night, highlighting the whole year of sports at Alvirne.



When the Town Administrator talks to Atty. Buckley, she'd like to include Riverwalk (on June 21), which has been kicking around for four or five years—the trail from Sagamore to Taylor Falls Bridge—for hiking and biking. This has been around way too long.

She was pleased to read in the Telegraph that Nashua Alderman Paula Johnson stated she supports Chief Gendron and Chief Chamberlain and hopes the Nashua Police Department follows suit. She thanked Ms. Johnson.

Selectman Stewart thanked Animal Control Officer Jana MacMillan and the Hudson Fire Department for their dedication and care in the rescue of the dog. Kudos to the Police Department for finding out who did this horrible thing. Hopefully, Sandy will have a good name very soon. Chief Gendron said they have been getting a lot of calls to adopt her.

**Ken Massey** thanked Kevin Burns and the Highway Department, saying the State has awarded the Town Emergency Management grants in the amount of \$56,239.52 for the snow emergencies out of the Town's cost of \$72,101.94. That grant money was significant.

At the last meeting, the Board asked the Chair to send a letter to State and Congressional delegations on how to improve and more proactively notify parents and concerned citizens about sexual predators in our neighborhoods. To date, they have received three replies—one from Senator Clegg, one from Rep. Jean Guy Bergeron from Pelham and the most important one, at this point, from Representative Andy Renzullo, who has indicated that Representative Buhlman is spearheading actions to accomplish this by amending an existing bill making its way through the system, or by filing a new bill in September. They will see something that moves forward on this that will give the citizens more than just a passive ability to find out this information. They have yet to hear from any of the Federal delegation. He thanked the Chief, along with Selectman Stewart's initiative, for at least making the public aware that there is a way right now to get that information and to alerting the schools and various safety areas of what they need to do to get the information for themselves.

A phone poll vote was taken on June 10 to waive the fee for the use of the Hudson Community Center building by the Lions Club to hold Scholarship Night on June 13. The results were 4-0. He didn't vote because he was on his way back from Syracuse with Fire Chief Murray and Capt Weaver. On their way home Friday night, there were two cars pulled off on the median strip. They stopped to see if there was something they could do to help, and ended up rendering preliminary assistance to the two individuals involved who, as it turned out, were not seriously hurt, but it was fortuitous they were there—thanks to the quick thinking of Capt. Weaver.

Motion by Selectman MacLean, seconded by Selectman Cole, to accept the Sewer located at Paula Circle in the Busnach Subdivision, as recommended by the Sewer Utility Committee, Road Agent and Town Engineer, carried 3-2. Selectmen Stewart and Maddox were opposed.

Motion by Selectman Stewart, seconded by Selectman MacLean, for a recess at 8:50 p.m. carried 5-0. The meeting resumed at 9:00 p.m.

## 9. **NONPUBLIC SESSION**

Motion by Selectman Cole, seconded by Selectman Stewart, to enter Nonpublic Session pursuant to 91-A:3 II (a) The dismissal, promotion or compensation of a public employee or the disciplining of such employee or the investigation of any charges against him, unless the employee affected has a right to a meeting and requests that the meeting be open, in which case the request shall be granted; (b) 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 or agency itself, unless such person requests an open meeting; (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 3-2 by roll call vote. Selectmen Stewart and Maddox voted in opposition.

Nonpublic Session was entered into at 9:02 p.m. and was terminated at 11:50 p.m.

(Start Tape 3-A)

### **Open Session Motions:**

Motion by Selectman Stewart, seconded by Selectman Maddox, to hire Janelle Goguen as a full-time Telecommunications Technician in the Police Department, effective July 3, 2005 at a rate of \$14.87 per hour, in accordance with Police Union Local 3657, carried 5-0.

Motion by Selectman Stewart, seconded by Selectman MacLean, to adjust the salaries of the non-union personnel as follows: Police Chief to \$82,375; Town Administrator to \$81,497; Fire Chief to \$77,765; Community Development Director to \$77,109; Road Agent to \$75,648; Finance Director to \$69,499; Police Prosecutor to \$63,860; Executive Assistant to \$46,254; and the Recreation Director to \$43,898 and to authorize the transfer of \$20,513 from FY2006 Contingency 5940-298 to fund the increases, effective July 1, 2005, carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Stewart, to adjust Joyce Williamson's rate of pay from Grade VIII, Step 2, \$13.87 per hour to Grade VIII, Step 2, \$14.28 per hour, effective July 1, 2005, carried 5-0.

Motion by Selectman Cole, seconded by Selectman Maddox, to grant a 2004 property tax abatement for Map 218/Lot 25, as

*recommended by the Assessor, failed, 2-3 by roll call vote.* Selectmen Cole and Massey were in favor.

*Motion by Selectman Cole, seconded by Selectman Stewart, to award the cable service provider contract to Coleman Kelly for the period 1 July 2005 through 30 June 2006, with a 60-day review period on September 13, 2005.*

Selectman Maddox said he didn't vote to go into nonpublic because of this issue. This is a contract and should have been discussed in public--which would have been interesting. He won't vote for this because he didn't think this was the way to go and it should have been discussed in public.

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

**10. ADJOURNMENT**

*Motion by Selectman Stewart, seconded by Selectman Maddox, to adjourn at 11:55 p.m. carried 5-0.*

Recorded and Transcribed by Priscilla Boisvert  
Executive Assistant

**HUDSON, NH BOARD OF SELECTMEN**

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**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**