

HUDSON, NH BOARD OF SELECTMEN
Minutes of the May 24, 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** was led by Selectman Rick Maddox.
3. **ATTENDANCE**
Selectmen Kenneth J. Massey, Teresa Stewart (arrived 7:43 pm), William P. Cole, Kathleen R. MacLean and Richard J. Maddox
Staff/Others: Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Fire Chief Shawn Murray; Deputy Fire Chief Gary Rodgers; Deputy Fire Chief Charlie Chalk; Dave Yates, Recreation Director; Karen Sjogren, Girl Scouts of Swift Water Council; Ben Nadeau; Leo Bernard; Joe MacLean; Linda Kipnes; Jim Battis; Howard Dilworth, Jr; Jean Serino; Anne Lundregan, TEL
4. **PUBLIC INPUT** (Reminder—5 Minutes per speaker; BOS response to be taken up under Other Business)

Presentation of a Freedom Salute Award to the Town of Hudson and to the Hudson Fire Department

Chairman Massey recognized Fire Chief Shawn Murray, who presented the Town with the NH Army National Guard Team Award medal and lapel pin that he and Lt. Morin received on May 15 when they attended a ceremony at the National Guard Armory in Manchester. The Town and the Fire Department were recognized for their support of Firefighter Gerry Carrier and all of the others who served in Iraq. Chairman Massey, on behalf of the Board, thanked the Army National Guard and Firefighter Carrier, and all of the men and women who served in Iraq and Afghanistan, and accepted the award with gratitude.

Jean Serino, 118 Robinson Road, read the following statement. "I'm here tonight to voice my concern regarding the newly-formed policy of detaining illegal aliens and charging them with trespass. Since when did we decide to make foreign policy in Hudson? Illegal aliens are a symptom of an underlying disease, the disease of global greed. If businesses paid Americans a decent wage for the kinds of work illegals are willing to do, there would be no market for illegal aliens. Some few people are becoming enormously rich because of their unwillingness to pay proper salaries to Americans and their willingness to hire illegal at slave labor wages. Illegals are not taking jobs away from anyone. In New Hampshire, they may be hired by little companies; in New York by sweat shops. My mother, an Italian immigrant, who by the way did not become an American citizen until she married my father, worked in sweat shops at the age of 12 and 13. It's sad to say that nothing has changed. The people who need to be arrested are the big corporations who use Americans and illegals equally badly, sending American jobs overseas and paying immigrants slave wages. Most importantly, to me, I do not want to let others think that I support this kind of bullying of the least of us. Jesus said, 'As you treat the least of us, so you treat me.' Just as no child should be called illegitimate, no human being should be called illegal. There are no illegal people; just people. What worries me are the following things. Will a woman being beaten by her husband feel free to call the police if she is here illegally? Will we begin questioning and arresting anyone with an accent or dark skin or in a dilapidated car, more so than the rest of us? Where does this end? Who will be rounded up next? The Arabs? The Jews? This stuff is very scary. Are we to become a police state? Surely no little Mexican who cannot support his family and has to come at great risk and hardship into this country is not thinking of blowing us up. That is just silly. These people do not pose a threat. They are a scapegoat for a misdirected anger. We are angry because we are made to feel frightened and that someone is taking something away from us. I think it imperative to stop this policy now before it gets out of hand. Remember, the Nazis needed a scapegoat. I hope we are not doing the same thing. To quote my personal hero, Martin Luther King, 'Unless we learn to live together as brothers and sisters, we will all perish as fools.' "

Howard Dilworth, Jr, 15 Sycamore Street, said in February, he had the pleasure of meeting Chief Chamberlain from New Ipswich at a dinner hosted by Congressman Tancred of Colorado, who has made it a goal of his to enforce the immigration laws in this country. It's not a policy, it's a law. It's a law in this country that, unless you're here legally, you're not supposed to be here. It's also a law in this country that if you harbor people who are not supposed to be here, that is against the law. It is also against the law to hire people who are not here legally. That's why when you go to work in a place, they go through the I-9 formalities where you provide a Social Security card and usually a picture ID, like a driver's license. Relative to big, rich corporations hiring people at a low salary and that Americans would not do these jobs, he has worked in factories where authorities have come in and taken away people during hours of work because they were found to be here illegally. And yes, they are taking jobs away from Americans; they are also preventing Americans from getting hired on a permanent basis. He knows from first-hand experience. He congratulated Chief Gendron for having the intestinal fortitude to recognize, in the face of this politically-correct era, that laws in this country are to be enforced. He is preaching to the choir because every elected official in Town has taken an oath to uphold the laws of the State of New Hampshire and the United States of America.

Linda Kipnes, 23 Nathaniel Drive, wanted to comment on the recent immigration-related police activity. Her understanding is that the immigration policy for this country is set by the US Congress and overseen and enforced by the Immigration and Naturalization Service. Therefore, she thinks when local law enforcement agencies come in contact with a person they feel might be of interest to the INS, they have a responsibility to request information from the INS about the status of that person and to ask if the INS would like to have that person detained. "If so, that person should, of course, be detained, but if the INS does not wish that person to be detained, then I believe that the police would be overstepping their authority to pursue any immigration-related citations. I believe that if the local police do not

agree with the immigration policy of the country, or the way it is being enforced, they should make their concerns known to the appropriate people, through the appropriate channels, their congressmen and the INS itself, rather than taking it upon themselves to change the policy or enforce their own policy. Police tell us that we, as citizens, should not take the law into our own hands if we disagree with what the police are doing or not doing, and in the same spirit, I feel that they ought to enforce the immigration policy by having the INS do their job and pursue their policy. They should work with relevant authorities to express their concerns, if they would like to get the policies changed.”

Jim Battis, 6 Potter Road, said, “I, also, would like to have us think very strongly about this policy. If it is fairly enforced, as the earlier speaker mentioned, it’s not just the illegal immigrant who is illegal, but it’s all the people who hire the person or abet him, his stay in this country, who are also performing illegal acts. If the police are going to intercede, to hold these people if they catch them in a motor vehicle, then I think the police should also continue the chain--investigate who hired them, who is helping them stay here. Do the whole investigation. Do you want the police force of Hudson doing INS’s job? I don’t think it’s proper. I don’t think that’s where our police force should be spending its time. The INS is supposed to be doing that. Contact your congressman. Contact the administration, the White House, I guess Homeland Security is now INS. It’s their job. And for us to establish foreign policy in this Town is really ridiculous and I think it really is going to be moot because, in the end, I suspect, along the line, will say that this is an improper vehicle for holding these people. But, in any case, either the Town enforces the law, the whole path, the whole route, start making investigations into who are hiring these people, or do your duties, enforce the motor vehicle laws as the previous speaker mentioned, inform the INS when you contact these people. I think holding them--arresting and holding them--is really outrageous.”

5. CONSENT ITEMS

Motion by Selectman Cole, seconded by Selectman MacLean, to accept consent items A – D, as noted or appropriate, carried 4-0.

A. Assessing Items

- 1) Yield Tax Warrant for wood/timber, Map/Lot 178/002-005;195/002;223/043, w/recommendation to sign.
- 2) Disabled Tax Deferral (8 Sunland Drive) w/recommendation to grant.
- 3) Elderly Exemption (20 Cottonwood Drive) w/recommendation to grant.
- 4) Multiple Charitable & Religious Exemption Requests, memo dated 5/24/05, w/recommendation to grant.

B. Licenses and Permits

- 1) Outdoor Gathering Permit by the Alvirne HS Friends of Music to hold a Chili Festival on Sunday, June 5 at the Hills House, 11 am–4 pm, signed off on by appropriate staff.
- 2) Block party permit by Michael Girouard for Richman Rd on June 11 from 9 am–9 pm as noted by the Chief of Police.

C. Acceptance of Minutes

Board of Selectmen’s Minutes of May 10, 2005

D. Committee Announcements

- 5/25 7:00 Planning Board in BOS Meeting Room
- 5/26 7:00 Lower Merrimack River @ NRPC
- 5/26 7:30 ZBA in CD Meeting Room
- 5/26 7:00 Open Space in the BOS Meeting Room
- 5/30 Memorial Day—Town Hall Closed
- 6/01 9:00 am, Highway Safety Committee in CD Meeting Room
- 6/01 7:00 Planning Board Workshop in CD Meeting Room
- 6/04 MDA Boot Drive @ Intersection of Ferry/Chase/Derry
- 6/06 6:30 School Board in BOS Meeting Room
- 6/08 7:00 Planning Board in CD Meeting Room
- 6/08 7:00 Benson’s Committee in BOS Meeting Room
- 6/09 6:30 Recreation Committee @ Rec Center
- 6/09 7:00 Sewer Utility Committee in BOS Meeting Room
- 6/09 7:30 ZBA in CD Meeting Room
- 6/14 7:00 BOS in BOS Meeting Room
- 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
- 6/20 6:30 School Board in BOS Meeting Room
- 6/20 7:00 Conservation Commission in CD Meeting Room
- 6/21 7:00 Cable Utility Committee in BOS Meeting Room
- 6/22 7:00 Planning Board in CD Meeting Room
- 6/23 7:00 Lower Merrimack River Committee @ NRPC
- 6/23 7:30 ZBA in CD Meeting Room
- 6/28 7:00 BOS in BOS 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.

Selectman Cole moved to take up New Business first, since Selectman Stewart had not yet arrived. The Chairman agreed to do so.

7. **NEW BUSINESS**

A. **Public Hearing for Water Utility Bond**

Town Administrator Steve Malizia said the Town has the opportunity to refinance the outstanding water utility bond. In 1998, the Town bought Consumers Water Company with a \$27.5 million bond. There are 23 years remaining on the bond. Current interest rates are very favorable for refinancing the outstanding years. He, Selectman Massey and the Finance Director met with George Zoukee, Executive Director of the NH Bond Bank, which is chartered by the State to provide financing and refinancing. Because of the interest rate climate right now, the Town could save up to \$1.2 million on the remaining life of that bond. In order to effect that transaction, bond counsel outlined the procedure to follow. He thinks this is a good deal for the Town. Selectman Maddox didn't think they could go wrong with a \$1.2 million reduction. He hoped that would help with the increase for the improvements. Mr. Malizia said it would certainly balance and mitigate that. The timing is fortunate. Chairman Massey opened the public hearing at 7:18 pm and asked if anyone wished to speak. There being no one, he closed the hearing, saying this was before the Board through the due diligence of Town Administrator Steve Malizia. Solely because of his efforts, the Town can save around \$1.2 million on this bond. He thanked Mr. Malizia.

Motion by Selectman Maddox, seconded by Selectman MacLean that, in order to reduce interest costs, the Treasurer is authorized to provide for the sale and issuance of bonds to the New Hampshire Municipal Bond Bank under RSA 33:3-d, in order to refund all or any portion of the outstanding principal of and redemption premium and interest on the Town's Water Bonds dated March 15, 1998 and that, in connection therewith, the Treasurer is authorized to execute such documents as may be necessary to carry out this transaction, including a Loan Agreement with the New Hampshire Municipal Bond Bank and a Refunding Escrow Agreement with US Bank National Association; provided, however, that no bonds shall be issued under this vote unless and until the final interest rates and other terms of the refunding bonds are approved by this Board carried 4-0.

B. **Annual Town Auction**

Town Administrator Steve Malizia recommended holding the auction on Saturday, June 18. Last year, that weekend appeared to be successful. There are many items, including bicycles, which sell well at this time of year. A list of the items to be auctioned was in the agenda packet. The auction will start at 9:00 at the Highway Garage and Fire Chief Shawn Murray will be the auctioneer again this year. Selectman MacLean asked where the public could find a list of the items. Mr. Malizia said at Town Hall, and anyone can request a copy. Chairman Massey suggested that it be posted on the Town's Web page.

Motion by Selectman Cole, seconded by Selectman MacLean, to hold the annual Town surplus property auction on June 18, 2005 at the Town of Hudson Highway Garage, starting at 9:00 am and to approve for the auction the list of surplus property attached to the memo from Town Administrator Steve Malizia, dated May 17, 2005 entitled Annual Town Auction, carried 4-0.

C. **Girl Scouts Summer Day Camp Agreement**

Town Administrator Steve Malizia said this would be the fourth year the Town allowed the Girl Scouts to use a portion of Robinson Pond for their summer camp. Everything has run smoothly in the past. This year, the request is for five weeks instead of six, for the same fee. The agreement is unchanged, except for the dates.

Motion by Selectman MacLean, seconded by Selectman Cole, to approve the agreement between the Town of Hudson and the Girl Scouts of Swift Water Council allowing the Girl Scouts to use the Robinson Pond Recreation Area for the operation of its day camp for the 2005 summer season and to authorize the Town Administrator to sign the agreement, carried 4-0.

(Start Tape 1-B)

D. **Fire Department Items**

1) **Bid Recommendation—Fixed Station Generators**

Fire Chief Murray said he and Deputy Fire Chief Rodgers recommended awarding the bid for fixed station generators to Brian Mason Electric. The Fire Department received the Federal Assistance to Firefighters' grant in the amount of \$154,000. Since that time, they've solicited bids for fixed station generators and vehicle exhaust direct capture systems. Deputy Rodgers coordinated the bid effort and created the RFPs for the projects. Deputy Rodgers said for the fixed generators, the sent out about eight bids and advertised in the local newspapers. They received four quotes back. The RFPs asked for 12,00kw generator, fed by propane to act as an automatic transfer in case of loss of power in either of the stations. The reason the recommendation is for Mason Electric is because they have done work for the Town before and in every instance, it has been quality work. He is also a local vendor. In case of an emergency or a problem with the generator, he would be immediately accessible. The warranty on his equipment is for three years, a year longer than what was submitted by the other bidders. The bid for \$19,000 didn't include some of the items they specifically wanted. The other lower bidder didn't explain exactly what they were going to do or what kind of generator they were going to install. They are also in another part of the State and it would take them at least an hour to get here. Metcalf Electric, located in Pownal Maine, came in at \$36,447—way over the budgeted amount.

Selectman Maddox said the Mason proposal said the 200 amp transfer switch would be put on the outside of the building. He wondered if the price would be more attractive if that was done by the NE Power Generators. There is a \$7,000 delta between the Mason price and the low bidder. Deputy Rodgers said that option was given to all of the vendors. The low bidder said they'd have to move the panel on the inside, rather than them putting on a weatherproof transfer switch on the outside. Chief Murray said it's not up to the Town to make up the bidders' scope of work. Selectman Maddox said there is a 25% difference in price. It's being funded by a Federal grant, but that's still money from one of his tax pockets. If that transfer switch was put on the outside by the low bidder, would it be \$21,000 and they'd still save \$3,000? Chief Murray said he looks at the best quality value for the Town. Mason, a known vendor, has provided the best quality, meeting the needs of the Town. Selectman Maddox wondered how someone could become a known vendor if they didn't do work in Town. Chairman Massey asked about the difference in the figure on the cover sheet for NEPG, which was different from the figure in the backup documentation. Deputy Rodgers said that included things like fencing that they had broken out. In the Mason Electric bid, the fencing had been included. Chairman Massey clarified that the comparison should be \$24,000 to \$19,000, not \$17,000.

Selectman Cole asked if there was some governing statute that required backup generators at stations. Chief Murray said no. Selectman Cole asked if, in his experience, most fire departments have backup generators. Chief Murray said yes. Selectman Cole asked about the switchover time. Deputy Rodgers said it's usually less than 45 seconds. Selectman Cole said he agreed with the Chiefs' assessment with regard to best value. There are a number of items that go into a procurement—cost, ability to solve the technical problem and past experience. He believed their assessment was right on the mark with regard to this recommendation. It's not the Town's responsibility to provide an opportunity for everyone to get a track record in Hudson.

Motion by Selectman Cole, seconded by Selectman MacLean, to award the bid for two fixed station generators to Brian Mason Electric in an amount not to exceed \$24,650, as recommended by the Fire Chief, the Deputy Fire Chief and the Finance Director carried 3-1. Selectman Maddox voted in the negative.

2) **Bid Recommendation—Vehicle Exhaust Direct Capture Systems**

Fire Chief Shawn Murray said this was also part of the Federal Assistance to Firefighters' grant program. This was to put vehicle exhaust direct capture systems in all three fire stations. Deputy Chief Rodgers said again, they did not take the low bid on this one. In comparing apples to apples, the system they are recommending comes with a compressor that they asked to have as an extra, where the MagnaGrip system does not. They advertised in the local area newspapers and received only four bids. They have never heard of the low bidder. He found only small departments in Virginia and Alabama that have used the ARI-Hetra systems. They are more of an automotive dealership type of usage. One of the problems with this system is when the hose releases from the vehicles, it swings freely. Another problem are the manual clamps. When the truck has been running up to eight hours, a person is putting a clamp on a truck that has a hot muffler. Their second choice, MagnaGrip, is within the budget. Some area departments who have used them have discontinued using them. There are positive and negative things that can be said about all of the vendors. They found that the Plymovent is used by 39 different departments in NH, including Nashua and Merrimack, who have praised the system. One size hose fits all vehicles, which means they wouldn't have to modify the system. All things considered, they were recommending Air Cleaning Specialists of New England, the Plymovent system, with a dealer out of Massachusetts, factory in Jew Jersey and a contact office in Belmont, NH.

Selectman Maddox asked what was presently used at Lenny Smith Central Station. Deputy Rodgers said (not discernable) with tubes and one exhaust fan, so it blows the air from one side of the station across to the other side of the station. Anyone in the station when the truck starts up inhales the fumes. Deputy Rodgers said they had budgeted \$48,000 for this in case the grant did not come in. This allows them to do all three stations this year.

Motion by Selectman Cole, seconded by Selectman MacLean, to award the bid for the vehicle exhaust direct capture system to Air Cleaning Specialists of New England in an amount not to exceed \$116,654, as recommended by the Fire Chief, Deputy Fire Chief and Finance Director carried 4-0.

3) **Request to Purchase Air Monitoring Equipment**

Fire Chief Murray said since 2001, the Souhegan Mutual Aid Response Team provides hazardous materials support and response to the Town of Hudson. This team covers 22 cities and towns in southern NH. Funding for the teams comes from an annual assessment based on property valuations and population. The Town of Hudson pays an annual fee of \$3,063 to be part of the team and use their resources. The fee pays for response, equipment and training in support of hazardous material emergencies. This year, in lieu of paying the annual assessment fee, the SMART organization is allowing the purchase of gas air monitoring meters. SMART is waiving the annual assessment to those departments that upgrade their gas and air monitoring equipment. The new meters will be compatible with the SMART team meters and

will be serviced and calibrated by the SMART team.

Motion by Selectman Maddox, seconded by Selectman Stewart, to authorize the Fire Chief to purchase two Orion gas meters at a cost of \$1,523 each from Line Item 5710-217 Association Dues: purchase of these meters in lieu of payment of the annual assessment to the Souhegan Mutual Aid Response Team, as detailed in a memo from the Fire Chief dated May 17, 2005. Request to Purchase Air Monitoring Equipment carried 5-0.

8. OLD BUSINESS

A. Setting Budget Parameters

Town Administrator Steve Malizia said that on April 5, Selectman Stewart stated that budget parameters should be set by the last meeting in May. In order to assist the Board, he put together a brief summary of what it did last year. The Board's direction to department heads last year was to level-fund their budgets, exclusive of salary and benefits that are contractually affected. Individual lines could be up or down, depending on the needs of the department. It was also the consensus of the Board that non-union pay raises be included in the operating budget, but requests for part or full time positions were to be by separate warrant articles. If a department wished to request a warrant article, they brought it forward for the Board's consideration.

Motion by Selectman Cole, seconded by Selectman Stewart, that the Board accept as its budget parameters for Fiscal Year 2007 the same parameters that it had used and facilitated for Fiscal Year 2006.

Selectman Maddox questioned whether or not this was premature, as the Legislature hasn't hammered out the school aid issue. The Town may have a \$2 million deficit. Selectman Stewart said that's not the Selectmen's issue...

(Start Tape 2-A)

...it was the School Board's. If the Legislature cuts \$2 million in aid to Hudson, the School Department has to find the \$2 million in their budget. Selectman Maddox said it was the same pocketbook. Selectman Cole said Selectman Stewart said it quite adequately. Selectman Maddox made an amendment to defer this to such time as they know what the Town will receive for school funding, but it did not receive a second. Selectman Cole didn't have a problem with addressing this now because, as they go along, they can change things. Department heads won't have to have a submission in until October, so there is plenty of time to reevaluate. With regard to the school side of the house, it was about three years ago when they took a big hit and the Board had the default budget. He was trying to make up the shortfall on the education side of the house and he still has the bullet holes from that particular exercise. He agreed with Selectman Stewart--the taxpayers have one checkbook, but it's not the Selectmen's responsibility. Their responsibility is the day-to-day operations of the Town and providing essential services to the residents.

Selectman MacLean said when they requested level funding last year, it was far from it, realizing that a lot of it had to do with salaries and things that couldn't be helped. Chairman Massey said the motion is to do what they did last year, which wasn't a level-funded budget including salaries. It's level funded on the expense items and then the contractual obligations for the salaries. Selectman MacLean said she had voted against including non-union pay increases in the budget last year. It might be fair to Town employees, but historically speaking, it should be by warrant article, so she will vote no on the motion. Selectman Maddox asked what that line item added up to. Mr. Malizia said it was under \$20,000 and that included all of the associated benefits.

Motion by Selectman MacLean, seconded by Selectman Maddox, to pull out the item relative to including non-union pay increases in the operating budget failed 1-4. Selectman MacLean voted in favor.

Vote on the main motion carried 3-2. Selectmen Maddox and MacLean voted in opposition.

B. Funding for Employee Recognition

Town Administrator Steve Malizia said on February 8, the Board deferred until tonight the issue of looking at the current Selectmen's budget to determine whether or not they could make retroactive monetary awards to the 20 and 25-year employees. The amount is in the \$1,000 range. He felt that it might be appropriate to defer this until the end of the fiscal year to make sure the money is there because the welfare budget is going to be overspent, as well as some of the gasoline lines. He'd rather have the May actuals in hand so they can clearly identify an area where the money can come from—probably from legal.

Selectman MacLean said she had voted against monetary awards to Town employees, and tonight she wanted to explain that decision. She read the following: "I feel that if we, the Board, want to show our appreciation for these services, true appreciation would mean money from our own pockets and not from the pockets of the taxpayer who, in fact, by paying their taxes, make these jobs possible in the first place. I think that just as much recognition should be given to the taxpayer, who has loyally paid their taxes in full and on time for at least 25 years. If the intention of the Board is to thank these employees on behalf of the Town, then I recommend letting the public know each year who is celebrating 25 years with the Town and the public can send their own token of appreciation, if they so choose. Perhaps our employees would receive much more than what the Board intended in the first place. Hudson is not a for-profit organization. People who choose to work for the Town surely understand

that they are in the business of public service, much like we Selectmen, they are public servants. They all work directly or indirectly for the taxpayers and citizens. Let it be made known and stated clearly that I appreciate, respect and value every employee in this Town and, equally, every citizen and taxpayer. I think people who want to show their appreciation should be given the opportunity to do so, of their own free will. The taxpayer and the Town employee are directly dependent upon each other and it seems unfair to recognize one and not the other and even more unfair to recognize one at the expense of the other.”

Motion by Selectman Maddox, seconded by Selectman MacLean, to defer action on this item until the last meeting of the fiscal year, June 28, 2005 carried 4-1. Selectman MacLean voted in opposition.

Motion by Selectman Maddox, seconded by Selectman Stewart, for a recess at 8:00 carried 5-0. Meeting resumed at 8:10 p.m..

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Terry Stewart said the duct work is complete at the Hudson Community Center and the electrical work has started. The wall pads are in and will be ready to go once the electrical and painting are complete. The Rec Department is looking for volunteers to help paint tomorrow, Wednesday, May 25 at 6:00 at the Community Center.

Motion by Selectman Stewart, seconded by Selectman Maddox, to support the Hudson Police position on illegal immigrants and to thank Representatives Buhlman, Renzullo, Ober, Ulery, Slocum and Boehm for presenting a commendation from the New Hampshire House of Representatives to the Police Department for their commitment in identifying illegal immigrants. Selectman MacLean said Selectman Stewart said it's not really a position; it's the law, so maybe that should be clarified. Selectman Stewart said she would reword her motion.

Motion by Selectman Stewart, seconded by Selectman Maddox, to support the efforts and decision of the Hudson Police Department to continue to identify and summon to court any and all illegal immigrants identified in the community of Hudson to be cited for criminal trespassing under RSA 635:2, criminal trespass §I, which states a person is guilty of criminal trespass if known that he is not licensed or privileged to do so, he enters or remains in any place; criminal trespass is a violation and punishable up to \$1,000.

Selectman MacLean said since the last time they acted in haste, she wondered if a motion was really needed. Chairman Massey said the intent of the motion is a clear indication that the Board of Selectmen--the governing body of the Town--is standing firmly behind the Chief of Police in his enforcement of the laws. Selectman Maddox said he does not doubt the Chief's sincerity to enforce the laws of New Hampshire. Hudson and New Ipswich has brought the issue of illegal immigrants in New Hampshire to the forefront. The people that should be contacted are the invisible ones—our Senators in Washington, who should be taking care of this issue, but until they get to that—being busy with other petty items—it is important that the governing Board support Hudson's Police Department in enforcing this rule. Selectman Cole said they heard speakers earlier during Public Input. Any right-minded individual would agree with the speaker who pointed out that Chief Gendron and his men and women are enforcing the laws of the land, be they local, State or Federal, as opposed to a policy. He finds it disturbing that to demonize as bullying the men and women of the Police Department in the enforcement of the law is disgraceful. To characterize the actions of Chief Gendron and the men and women of his department in the enforcement of the law with terms such as Nazi is utterly disgraceful. Chairman Massey said this is one of those defining moments in a community. Sometimes the only way to get the attention of the people at the top is to hit them with a sledgehammer. Unfortunately, since the Federal government isn't choosing to enforce their own laws, and because we are faced with uncertainty as to who these individuals are, the Police Chief is totally within his rights, based on his sworn obligation to uphold the laws of New Hampshire, that what he's doing is the right thing. When the Chief first brought this to his attention, he wholeheartedly supported the Chief--and he still supports him tonight. Maybe if more towns in New Hampshire follow Hudson and New Ipswich that sledgehammer will, in fact, force the Federal government to enforce their own laws.

Vote: Motion carried 5-0.

Selectman Stewart said in May 1996, the State signed into law a bill that requires persons convicted of sex offenses against children to register with the local police departments. This law mirrors one passed in 1994 by New Jersey in response to the sexual assault and murder of a seven-year old New Jersey girl, Megan Kanka, by a sex offender who lived across the street. The girl's parents did not know the sex offender lived nearby. Megan's Law, as the legislation is called, requires any person convicted of an offense of aggravated felonious sexual assault--indecent exposure, child pornography, etc.--where the victim is under the age of 16, to register his with the local police for a period of 10 years following release from prison. This is not intended to increase fear, but an informed public is a safer public.

Motion by Selectman Stewart, seconded by Selectman Cole, to direct the BOS Chairman to send a letter to Representatives in Concord and Washington to urge for stronger laws and conviction of sexual offenders and to support the HPD in their efforts to make Hudson safe.

Selectman MacLean asked the Chairman if he was agreeable to writing the letter. Chairman Massey said he would be glad to. Selectman Stewart urged all residents to view the Hudson Police Department's web site, or to contact the Chief of Police for a complete list of registered sex offenders.

Vote: Motion carried 5-0.

Selectman Stewart offered congratulations to Officer Jessica Cormier and Firefighter Dave Cormier for their efforts in planning and organizing the Police versus Fire softball match to raise funds for Ethan Smith. They raised nearly \$3,600 for his medical treatment. It was a good game—and the Police won. It was a good, fun time.

Selectman Stewart said the Police Department will be enforcing the State seat belt laws this weekend and encouraging the use of seat belts by all drivers. This program was funded through the Federal Highway Safety grant.

Bill Cole said with regard to the refinancing issue, he was thankful that the Town Administrator was not in a position to negotiate his salary, having saved the Town over \$1 million. Steve did all of this himself. He is the one who found this out and has worked it for the last month or two on his own initiative. Kudos from the Board, and the Town, to Steve for what he has done in this area.

With regard to the exhaust system, Selectman Cole thanked and congratulated Deputy Chief Rodgers, Chief Murray and all of the men and women of the department that worked on several of the grants, especially the exhaust system. A couple of years ago, a former Selectman said he wanted more empirical data that an exhaust system was needed at Central Station. The only empirical data would be a firefighter laying out unconscious on the floor over there. That's where they are with the system. He congratulated the Fire Department for finally getting this project off the dime and the Board for supporting it in order to bring an element of safety into the stations, which they haven't had for a number of years in this area.

Selectman Cole said he heard during the recess that Chief Murray wants a rematch on the Guns & Hoses game. He says they won't ease up like they did in the last game.

Kathleen MacLean thanked, on behalf of Esther McGraw, all of the people who helped with the very successful Benson's cleanup. Esther is thrilled with all of the work that was done. The next cleanup is scheduled for the third Saturday in September.

About the people that spoke today, she can really appreciate the compassion of the fine citizens that spoke. Their hearts are big and if we put ourselves in the shoes of the underprivileged and marginalized, we feel for them, too. Everybody does, but the United States, we're set apart from other countries by our rule of law and we have to support the Chief—and congratulate him—for doing that, upholding the law of the land. Even though you might feel bad, you have to go by the law.

Rick Maddox said last week, he attended the Library Trustees meeting and they are looking forward to being on television. They asked him to ask the Selectmen if the property that is on 102 by Alvirne that the YMCA looked at could be looked at as a potential site for a library. He asked if anyone knew of any reason why that property couldn't be used for that. The reason he is asking is because the Library Trustees are going to look at all of their options. They looked at the vote at the last election and they are considering all of their options, at this point, whether to continue to go with where they are located now, or to look at other locations and different designs. They wanted to know if that particular property was available, and maybe they could look at other properties of that size and location that would support this. Selectman MacLean was glad to see that they are showing a little flexibility and forward thinking. She thinks it is a great idea and something to look into. Selectman Cole asked how the change in venue changed the cost dynamic. Selectman Massey said it could change it dramatically, but they were just looking to see if there was something planned that he didn't know about. They want to take a look at a number of different options, with one of them being the locate at another site and they wanted to know if that one was available. Chairman Massey said he's had conversations with some of the Trustees and he indicated to them that he felt the size of the building that they wanted to add on to the existing structure was too big. He thought that a smaller footprint was the appropriate way to go. He would only be interested in looking at another piece of property if the Trustees do two things. The first is they would do a better job of selling the Board of Selectmen and the Budget Committee on the size and the cost, which says to him they would be coming in with a much smaller footprint, no matter where the building is, and two, that if their decision, based on the ability to get land somewhere else in Town were to bear fruit, that they would also have a very good proposal on how they would treat the existing library building. If they can come up with a plan that the Board could support, then the land might make a lot of sense, especially given the one out near the two schools. He asked if Selectman MacLean would support looking at other locations. Selectman MacLean said yes. Chairman Massey asked Selectman Cole if he'd support them looking at other locations. Selectman Cole said he certainly hoped they were doing that. Chairman Massey said the feedback to give to the Trustees is that they could look at those locations, but they would have a better change of getting support in the community if it's a smaller footprint than what they originally envisioned. Selectman Stewart said they also have two houses and she wondered how that would be addressed. Chairman Massey said they would have to explain what would happen to the existing facility and those properties if they were to move off site. Selectman Maddox said he would bring this information back to the Trustees. He believed that if they could get past him and all of his questions, they might have a chance with the Board of Selectmen.

Selectman Maddox said the Guns & Hoses game was a great time for a great cause. Everyone had a great time—and he thinks the Board of Selectmen could take on the Fire Department next time.

Lastly, he stated that a member of the community was leaving—Telegraph reporter, Anne Lundregan. This was her last meeting, so he thanked her for all of the good work and wished her good luck in her future endeavors.

Ken Massey said next Monday is Memorial Day, a day set aside to honor men and women who have given their lives in the service of our country. The Selectmen have an opportunity to honor them in a special way because the American Legion holds its annual Memorial Day parade and service. The parade starts at 2:00 p.m., with the shape up for the participants at 1:00 p.m. at Shop and Save. He encouraged all Hudson citizens to take advantage of this opportunity to say thank you to the brave men and women who have given their lives in the service of their country. Every year, the program gets bigger with participation and people watching on the sidelines, which is a credit to the Town. He encouraged everyone to come out on Monday to support the American Legion's Memorial Day program.

10. NONPUBLIC SESSION

Motion by Selectman Cole, seconded by Selectman Stewart, to enter Nonpublic Session under 91-A:3 II (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; and (d) 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 5-0 by roll call vote.

Nonpublic Session was entered into at 8:30 p.m. and was terminated at 10:28 p.m. The following motions were taken in open session:

Motion by Selectman Cole, seconded by Selectman Stewart, to seal the Nonpublic Session Minutes carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Cole, to hire Joseph Martell and Jeffrey Labrie as Dispatchers in the Communications Division of the Fire Department, effective June 12, 2005 @ \$13.10/hr, in accordance with IAFF Local 3154 carried 5-0.

11. ADJOURNMENT

Motion by Selectman Stewart, seconded by Selectman MacLean, to adjourn at 10:30 p.m. carried 5-0.

Recorded and Transcribed by Priscilla Boisvert
Executive Assistant

HUDSON, NH BOARD OF SELECTMEN

Kenneth J. Massey, Chairman

Teresa Stewart, Vice-Chairman

William P. Cole, Selectman

Kathleen R. MacLean, Selectman

Richard J. Maddox, Selectman