

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the April 26, 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 Chairman Kenneth J. Massey.
3. **ATTENDANCE**  
**Selectmen:** Kenneth J. Massey, Teresa Stewart, William P. Cole, Kathleen R. MacLean and Richard J. Maddox  
**Staff/Others:** Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Kevin Burns, Road Agent; Tom Sommers, Town Engineer; Police Captain Bill Pease; Steve Williams, Executive Director, NRPC; Sean Sullivan, Director of Community Development; Dave Yates, Recreation Director; Vice-Chair Leo Bernard and Harry Schibanoff of the Cable Utility Committee; Catherine Valley; Ray Rowell; Rev. David Howe; Howard Dilworth, Jr; Anne Lundregan, TEL
4. **PUBLIC INPUT**  
When Chairman Massey asked if anyone in the audience wished to address the Board on any subject, there was no response.
5. **NOMINATIONS AND APPOINTMENTS**  
*Motion by Selectman Cole, seconded by Selectman Stewart, to acknowledge, with regret, the resignation of Anne Engelhardt as an Alternate on the Sewer Utility Committee, carried 5-0.* This vacancy will be advertised, along with any other committee vacancy.
6. **CONSENT ITEMS**  
Selectman Maddox removed Item E.  
*Motion by Selectman MacLean, seconded by Selectman Maddox, to accept the consent items, A, B, C, D & E, as noted or appropriate, carried unanimously.* Selectman Maddox requested that the assessing items not be combined, but be broken out and noted separately.
  - A. **Assessing Items**
    - 1) Yield Tax Warrant/Certification of Yield Tax Assessed-Mp/Lt 100/003; 105/017; 201/012 w/recommendation to sign.
    - 2) Excavation Tax Warrant (Map/Lot 140/001; 141/001, 003 & 004; 150/013) w/recommendation to approve.
    - 3) Disabled Tax Deferral for 02 & 03 (13 Iris Path) w/recommendation to grant.
    - 4) Multiple Veteran's Tax Credits/Exemptions (31 Bowes Cir; 3 Harwood Rd; 44 Lexington Ct; 12 Lexington Ct; 7 Water St; 47 Adelaide St; 155 Highland) w/recommendation to grant.
    - 5) 2004 Abatement (80 Derry Street, Bank NH, Westchester Court) w/recommendation to deny.
    - 6) 2004 Abatement (4 Marshmallow; 26 Hampshire Dr; 19 Executive Dr; 29 Hazelwood) w/recommendation to approve.
    - 7) Charitable Exemption, Hitchcock Clinic, 321 Derry Road, w/recommendation to deny.
  - B. **Sewer/Water Utility Items**  
Sewer Acceptance, Shepherds Hill, Aster Court & Monarch Court, Map 177/Lot 5.
  - C. **Licenses and Permits**  
Referral of Sign Application by Hudson Nottingham West Lions Club to Road Agent on 15 April 05, signed by BOS on 14 April.
  - D. **Acceptance of Minutes**
    - 1) Board of Selectmen's Goals Workshop on April 5, 2005 -- refer to file.
    - 2) Board of Selectmen's Meeting of April 12, 2005 -- refer to file.
  - E. **Police Memorandum of Agreement w/Nashua--Interlocal Agreement for the 2005 Byrne Justice Assistance Grant (JAG) Program Award.**  
Selectman Maddox asked why this item was under the consent agenda. Town Administrator Malizia said this agreement was a conduit for funding, funneled through Nashua. It is a time-sensitive item, but did not get to the office in time for the regular agenda, so it was added under consent, recognizing that if anyone had questions, it could be pulled off. Selectman Maddox asked if authorization to apply for this grant had been given, and he just didn't remember it. Capt. Pease said the JAG grants takes the place of the old block grants. It is awarded based upon the population of the community and the crime rate. Hudson didn't apply for it. The federal government gave Hillsborough County this block of money and, as part of the distribution, Hudson will receive \$22,631. The first step in formalizing the procedure to access the money is a committee was formed by the police departments. As a first step, they have to appoint a fiscal managing agent of the block of money. That's the reason for the agreement. The Nashua Police Department, who can dedicate the personnel, will file the proper reports. Hudson was notified on March 15, so they did a quick needs assessment. It was determined that the laptop computers, the modems and hardware involved in that, are getting old and will need upgrading in the next few years. This is a chance to grab some free money; there is no match. Once they go through the application process and present their program to the government, they give over the money and the Town can defray the cost of some necessary equipment. Selectman Maddox said he didn't have a problem with the program, but he didn't remember hearing that the modems and radios should be replaced. Chairman Massey said the Town will hold a public hearing when the money is actually awarded to the Town, so there will be another opportunity to look at this. Selectman Maddox said Page 2 said Nashua was going to get \$84,241 and then the city agrees to pay Manchester a total of

\$102,000. Capt. Pease said that was probably a misprint. The money is funneled from the County to Nashua to Hudson. Nashua will be the agency filing the reports. He didn't know why the money was split up the way it is, but believed it had to do with population and crime rate. Chairman Massey said Nashua was the conduit for distributing the money to all of the other towns. Selectman Maddox couldn't understand how Nashua could pay out more money than it gets in. Chairman Massey said Nashua is the fiscal agent, so all of the monies will be given to them and they will then award an amount to each of the towns.

Motion by Selectman Stewart, seconded by Selectman Cole, to authorize the Chairman to sign the Police Memorandum of Agreement for a 2005 Byrne Justice Assistance Grant carried unanimously.

#### F. Committee Announcements

4/27 7:00 Planning Board in CD Meeting Room  
 4/28 7:00 Lower Merrimack River @ NRPC  
 4/28 7:00 CIP in BOS Meeting Room  
 4/28 7:30 ZBA in CD Meeting Room  
 5/02 6:30 School Board in BOS Meeting Room  
 5/04 7:00 Planning Board Workshop--CD Meeting Rm  
 5/04 7:00 Benson's Committee in BOS Meeting Room  
 5/05 7:00 CIP in BOS Meeting Room  
 5/06 Loyalty Day Dinner @ VFW  
 5/07 Curbside Leaf Collection  
 5/10 7:00 Board of Selectmen in BOS Meeting Room  
 5/11 7:00 Planning Board in CD Meeting Room  
 5/12 6:30 Recreation Committee @ Rec Center  
 5/12 7:00 Sewer Utility Committee--BOS Meeting Rm  
 5/12 7:30 ZBA in CD Meeting Room  
 5/16 6:30 School Board in BOS Meeting Room  
 5/16 7:00 Conservation Commission--CD Mtg Room  
 5/17 7:00 Cable Utility Committee--BOS Meeting Rm  
 5/18 5:30 Water Utility Committee--BOS Mtg Room  
 5/18 6:30 Library Board of Trustees--Ferry St Annex  
 5/19 7:30 Budget Committee in BOS Meeting Room  
 5/21 Saturday, 9 - 12, Benson's Cleanup  
 5/24 7:00 Board of Selectmen in BOS Meeting Room  
 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  
 5/30 Memorial Day—Town Hall Closed

2005 Cleanup Days at West Road landfill, Saturdays, 8-2 on April 30, May 28, June 25, July 30, August 27, September 24, October 22 and November 19. Curbside Leaf Collection scheduled for May 7, Oct 22 & Nov 5. 886-6018 for more details.

#### 7. OLD BUSINESS

##### A. Proposed Cable Contract

Selectman MacLean, Committee Vice-Chair Leo Bernard and Committee member Harry Schibanoff were recognized. Selectman MacLean said this document was the Cable Utility Committee's recommendation for the new contract, the services they want performed by the Operating Services Provider (OSP). She thanked the committee for their hard work in editing this document. Mr. Bernard said he was there on behalf of the Chairman, who was unable to be present. The document before them reflects the changes to the old contract that the committee felt were necessary. Mr. Schibanoff said the contract was made more generic, removing the name and just putting in "service provider." They also reviewed the list of exhibits that were in the old contract and removed some of those that were no longer applicable. They also included an estimate of time anticipated for each telecast and put in a wish list of other groups that could be cablecast. They had a long discussion at their last meeting relative to the allocation of time for each task. The committee, however, has not made a recommendation for the dollar value. Selectman MacLean said the committee emphasized this is not a per-hour job; the payment would be a flat fee. Some weeks this person may put in just a few hours, but other weeks, much more. She also pointed out that the document was presented in the manner that Selectman Maddox requested in the past.

Selectman Maddox said he had a lot of comments, many of which were happy-to-glad. Firstly, the person is being called an

Operations Service Provider and wondered if anyone would know what that was, if this is put out to bid. Mr. Bernard said that title related more closely to the actual job, that it was not a consultant's position any more. Mr. Schibanoff said they could say Cable Operations Service Provider to define it a little better, but he believed that people would know what an OSP was. Selectman Maddox believed the document was way too wordy. For instance, under "Other Compensation and Fringe Benefits," it should list the benefits that will be received, not the benefits that the OSP won't get. He thought the times listed were more than generous, so he cut down some of those. For instance, if Selectman Stewart is running the meeting, it won't last five hours. He said he has a number of those types of changes. He can either make a copy for the committee or the liaison, but he wouldn't be ready to agree to this document tonight and didn't think they wanted to tie up the meeting with all of the nuances.

Selectman MacLean said the document that was submitted by the committee now belongs to the Board to do with as they will. It is a contract between the Board and this person. It doesn't need to go back to the committee. The Board can make their own changes, however they want. Selectman Cole asked where they were heading with this document and, if they didn't make the changes tonight, when were they? There are a number of things they may all want to change. The current contract is up at the end of June and, since there isn't a name in the document any more, he assumes they are going to go out to bid. He asked if that was the committee's recommendation because, if so, that is only two months away. If they don't finalize it tonight, they will have to come up with something by the next meeting. Chairman Massey said they could sit there all night and wordsmith it, but it would be more productive for all of them to send their input to the Cable Committee for them to make the changes in time for the Board to act upon it on May 10, their next meeting. He asked when the next Cable Committee meeting was. Selectman MacLean said May 17 and suggested that the changes could be sent to the Cable Clerk, Denise, who could make the changes and then resubmit it. Chairman Massey asked Selectman Cole what he would suggest.

Selectman Cole said he would suggest they get this taken care of now. If everyone sends their suggested changes to Denise, and they are all different, they will still have a document that they haven't decided on. The Board of Selectmen will eventually have to agree on the wording. If everyone already knows what changes they'd like to see, they should get the job done now. Selectman Maddox said that was agreeable to him; Selectman MacLean suggested deferring it to the end of the meeting so the other people who had agenda items could get to them and wouldn't have to sit through this process. Chairman Massey said no, they would either do it now or at the next meeting, saying that Selectman Cole had the right idea. He recognized Selectman Maddox.

Selectman Maddox said if this person is going to be called the Operating Service Provider, it should be consistent throughout the document. Selectman Stewart said the only other contractor the Town had was Tom Sommers to the Sewer Utility when he worked for CLD. She asked what his title was at that time, so they'd have something to compare to, and could be consistent. Howard Dilworth, Jr. was recognized and said Tom was the Sewer Utility Consultant and he had a contract signed on an annual basis that was about six pages long. Chairman Massey said, in this case, this person is not a consultant; he is providing a service. He thinks the title *Operating Services Provider* should be used throughout the document and asked Selectman Maddox if that was acceptable. Selectman Maddox said it worked for him.

Continuing, Selectman Maddox referred to I, Services. This section should read, "The *Operating Services Provider* agrees to provide services, as defined in Exhibit A. The *Operating Services Provider* shall perform for the Town such services during the term of this agreement as may be assigned by the Board of Selectmen, the Town Administrator or the Cable Utility Committee. If such services shall require the availability of the *Operating Services Provider* in excess of 1000 hours per year, it shall be in accordance with §II below."

Under II Compensation, Selectman Maddox reworded that section as follows: "Fee and Expense Reimbursement. The Town shall pay the *Operating Services Provider* a fee of \$\_\_\_\_\_per year, payable in check." Under "Other Compensation and Fringe Benefits. The *Operating Services Provider* shall not receive any other compensation from the Town including, without limitation, health, disability, life insurance, retirement, and pension benefits." Under Time Records, it should read, "The *Operating Services Provider* shall prepare accurate and complete records of the services to HCTV and for the Town under this agreement, submitted on a monthly basis."

Under III, Independent Contractor should be *Operating Services Provider*. He thought the words "servant" and "joint venturer" should be removed. Chairman Massey said that was standard language for this type of contract. Under IV Term, the word "contractual" should replace the word "consulting." Selectman Stewart interjected that the term indicated this was a two-year contract. Mr. Bernard indicated that that was a mistake; it should read 2006, not 2007.

Continuing, Selectman Maddox referred to IV Early Termination. Remove the words, "relationship under this agreement," and add the word "contract." In the fourth line down, remove the words "or by written notice from the Town that." He thinks that the word "contract" should be used consistently through the document instead of "agreement." Chairman Massey agreed. Selectman Maddox felt that a 90-day notice was excessive. Chairman Massey thought it should say "terminate the contract with a 90-day written notice." Selectman Maddox thought it should be changed to a 60-day notice because 90 days is 1/3rd of the contract.

Under V, Miscellaneous Provisions, he wiped out Assignment and Binding Effect. Chairman Massey said those were items you would typically see in a contract of this type to be in a position to not allow the relationship to be changed.

(Start Tape 1-B)

Selectman Maddox referred to #5 under Exhibit A, and changed the estimated hours per month from 20 to 12 (eventually a compromised number of 16 was reached). Chairman Massey asked the Cable Committee if the 20 hour estimate was based on historical evidence. Mr. Schibanoff said it was, after talking with the current cable provider. Part of the problem is the age of the equipment, which takes longer. Selectman MacLean said the 20 hour estimate was very generous because the Chairman of the Cable Committee definitely didn't want 20. The total hours comes to about 1000. The money they are paying is for doing the job, which probably won't be over 1000 hours. Selectman Maddox said his number gets them to include the Conservation and the Library meetings in those 1000 hours. Selectman MacLean said they weren't really talking about hours. They could say this person is to cover the meetings they want covered, which could include Conservation and the Library. Selectman Maddox said that covered his comments on the actual contract.

Selectman Cole referred to the first ¶ and after "for the purpose of providing cable television," added "technical support, and operating services." Under Equipment, Tools and Overhead, the word "their" should be changed to "his or her" since *Operating Services Provider* is singular. Selectman Cole asked when the Board was going to take up the issue of compensation, if they approved this generic document tonight. If this document is going to be put out to bid, the Board should know how much they are going to pay this person. He asked what the plan was. Selectman MacLean said that was up to the Board tonight. Chairman Massey asked what the committee had in mind, if they wanted the Board to establish the compensation. Mr. Bernard said this was the Board's contract and why the committee left the name and compensation blank. They made all of the changes they deemed appropriate. Selectman MacLean said the hours they included were to help the Board decide on the amount of compensation. Chairman Massey said his suggestion was that they not put dollars in this contract, but the contract would serve as the basis for an agreement between the two parties and the actual compensation would be part of the negotiations with the individual. Selectman Maddox asked if this was, then, a specification for someone to bid to. Selectman Massey said that was correct. If this is going out to bid, they shouldn't necessarily tie themselves to a fixed dollar amount. Selectman Stewart said she agreed, if they are just putting out an RFP. Selectman MacLean said that all seemed logical, but if they put this out to bid and what they receive are all higher than they want to pay, she wondered what they would do then. Selectman Stewart said they would negotiate.

Selectman Cole said that Selectman MacLean used the phrase, "if we go out to bid." He wondered what he had missed—when they decided they were going to do it this way. He hasn't had any conversations with the current consultant and he hasn't heard any rumors around Town Hall that he isn't interested in continuing providing the service that he has for many years. He asked who made the de facto decision that they don't want to offer the current consultant a contract renewal. Mr. Bernard said if the current provider wants to continue, that was fine. It would be up to the Board. Selectman Cole said, as a knee-jerk reaction, a name was taken out of the document. The purpose of this exercise was to bring a document in line with the new duties of the Cable Committee, so there wouldn't be a redundancy. Crossing out a name goes a little beyond that. He wanted to know what the plan was. Selectman MacLean said because money was involved, they wanted to go out to bid to get the best deal for the Town and the taxpayer. Selectman Cole said he'd go after the best value for the taxpayer, not just the lowest cost.

Chairman Massey recommended that, given all of the changes made, that it be redone, incorporating all of the changes, for May 10 meeting, at which time they would approve the language of the contract. He said Selectman Cole may be right, that going out to bid may be premature, given the fact that they do have an individual that has been doing this for as long as he has. If a satisfactory agreement can be reached on the terms and cost of the contract, that would be in the best interest of the Town. If there were not objections, that is what he would do. Selectman Maddox said if this was coming before them on May 10, they should decide the number of hours in the document. Those things should be worked out tonight. Selectman MacLean said perhaps they should take out the number of hours altogether. The person is agreeing to performing the tasks, not the amount of hours it takes to do them. Selectman Maddox said the number of hours would be used as a guideline. Chairman Massey said in the original contract, it simply said 1000 hours and anything over and above that was at a per hour rate. It was known, at the time, that the 1000 hours included the items listed under the current cable cast meetings. Mr. Malizia said no, that's a whole new section. Selectman Maddox agreed with the Town Administrator, that that wasn't a part of the 1000 hours.

Selectman Maddox referred to the first paragraph and said a line should be included for the person who was awarded the contract. Chairman Massey said the name would go where it says, "to be determined," followed by, "*Operating Services Provider*." Selectman Maddox changed the Early Termination section to "60 days." There was consensus agreement. Selectman Maddox said he'd split the difference on the hours by using 16 and try to get Conservation and Library into the mix. Chairman Massey said in order for that to happen, both groups would have to meet in the Selectmen's Meeting Room. Selectman Maddox said the Library Trustees would be pleased to meet in this room in order to be on television.

Selectman MacLean thought that under II Compensation, the section on Additional Hours could be removed because she didn't think there were any additional hours. It is a fixed price for doing the work. Chairman Massey clarified that the Cable Utility

Committee was recommending that, for a fixed price, there would be a certain level of service. Selectman MacLean said yes. Chairman Massey asked, if there was provision that if it went beyond that service, there would be some additional compensation. Selectman MacLean said level of service, but not necessarily hours. It's not about the hours, it's about doing the job. Chairman Massey said he understood, but there is still an estimate of the amount of time involved. The person who took this job would understand that no matter how many meetings he had to do, it would be part of the fixed price. The person who takes the job would understand their time commitment, in general, but they would be responsible for providing services for all of the Board of Selectmen meetings, all of the School Board, all of the Budget Committee meetings, the two deliberative sessions, the Library meetings and the Conservation Commission meetings. Selectman MacLean said that was correct. Chairman Massey said it would be moot to include "potential future considerations," because at that point, they'd be talking about additional compensation. Selectman Maddox said they need to have that feature in there, at the discretion of the Board, in case they asked him to televise accreditation or some other function above and beyond what this scope of work entails. Selectman MacLean said maybe not listed as additional hours, but as additional services. Mr. Malizia suggested, if there was a five-hour event, they would say it would be at X rate. Selectman MacLean said that would cover the bases better. Chairman Massey said it would change "Meetings for Future Consideration" to "Additional Services at a rate of \$X per hour." Selectman MacLean said no, not the Conservation Commission and the Library. Chairman Massey said they already moved those up to the other piece. Selectman Maddox said no, he thinks that is just a future consideration. He thinks if they asked this person to provide the Memorial Day Parade, or some other function that the Board decided they wanted to put on, they knew what the rate was, and they thought it was going to take five hours, they'd do the math and say they were willing to expend X dollars in addition to the contract. They'd know what it was going to cost them to do, but the scope of work would be to do all of the items listed. If they decided they wanted to do something else, they'd have a mechanism in place to pay him. Chairman Massey said that would translate to him that under Compensation, the first ¶ should include, "The Town shall pay the OSP a fee of \$X for the scope of work, as described in Appendix A," and it would be 1-7 and there wouldn't be a reference to the number of hours. Under Additional House, the language would have to be changed that if the Board wants to have additional work done, it would be done on a negotiated basis, or at a rate determined by however they decide to fix it. Selectman Maddox said that section should become Appendix B, so there is no confusion as to what the scope is. Chairman Massey said OK.

Selectman Stewart referred to Time Records and Reports, saying that a not-later-than date should be included for the monthly reports to be submitted. After a discussion, it was decided that the words, "by the 10<sup>th</sup> of each month for the preceding month," be included after, "Submit written records on a monthly basis." Selectman Cole asked if Time Records and Reports on the first page was the same as the one mentioned in Exhibit A, #2. Selectman MacLean said the report mentioned on Page 1 goes to the Town, but Exhibit A refers to the report going to the Cable Utility Chairman. The reports aren't going to be about how much time it took; that's not the point. It is about what was done—what was accomplished. Selectman Cole said it certainly does matter, if they are going to determine for the future how much time they need someone to fulfil a service. It's a good idea to collect data up front. If the Committee Chairman needs a copy, he could just be cc'd a copy of the report, which would suffice. Chairman Massey said it would be more appropriate to take Time Records and Reports under II Compensation and put that under Exhibit A, as Item #2. That would be a report of work performed and a status report of the work. Mr. Schibanoff said the intent was that the provision under ¶2 was to go to the Town for billing purposes and the one under Exhibit A was to the Chair of the Cable Utility Committee, who would also like to see the report, which could be just a cc. More importantly, he is interested in seeing what the telephone calls and e-mails were about because the Chairman is not here on a day-to-day basis, whereas the OSP is. The intent was different in the two sections.

Chairman Massey said he understood and asked if there was any other input. There was no response. He continued by saying there were a lot of changes made, so he'd accept a motion to defer action on this until their May 10<sup>th</sup> meeting, at which time a revised contract will be before them for approval and, at that time, they would determine the method of filling the position. Mr. Bernard asked if the Board needed anything from the Cable Utility Committee before that date, because if so, they would need to hold a special meeting. Chairman Massey suggested that he be mailed a copy of the Word document, unless Selectman MacLean has a copy of it. She said no, she didn't, and she thought it would be very difficult for Denise to make the changes, since she wasn't present and asked if Priscilla would do it. Chairman Massey said he and Priscilla would do it.

*Motion by Selectman MacLean, seconded by Selectman Maddox, to defer until May 10, 2005 carried unanimously.*

#### **B. Nashua v. Pennichuck Water Works**

Town Administrator Steve Malizia said Atty. Jay Hodes has been monitoring this aforementioned case. Currently, the Town of Hudson has maintained a neutral stance on the issue. The attorney is asking if the Board wants to maintain that stance, or do something otherwise. Chairman Massey said last Spring, the Town filed for intervenor status with the Public Utilities Commission, which gives Hudson the ability to have standing before the commission, if that need ever arose.

(Start Tape 2-A)

Selectman Maddox said June 30 is coming up as the next benchmark in becoming part of the waterworks association. He asked if that was on an upcoming agenda. Chairman Massey said yes, it was on the schedule. Selectman Cole asked if the Attorney had indicated what an active role might be. Town Administrator Malizia said testifying at the PUC, for example.

Motion by Selectman Stewart, seconded by Selectman Cole, that the Board of Selectmen remain neutral in the case of Nashua v. Pennichuck Water Works carried unanimously.

**C. Award of Bid for Aerial Photography Services**

Town Engineer Tom Sommers said six qualified bidders responded and he and the Finance Director were recommending the low bidder, who was well qualified to do the work. In fact, they have already done the flyover as time was of the essence, in order to beat the leaves, which are rapidly opening. Selectman Maddox thought the Assessor got off easy; the Fire Department had to cobble their money together from six different accounts.

Motion by Selectman Maddox, seconded by Selectman Cole, to award the bid for aerial photography services to the low bidder, the Sanborn Map Company, in an amount not to exceed \$24,820, as recommended by the Town Engineer and Finance Director, carried unanimously.

**D. Funding Mechanism for future GIS Aerial Flyovers**

Town Administrator Steve Malizia said questions arose concerning this item when they were going out to bid for the flyover—how they could put money away for future flyovers. He was recommending establishing a capital reserve fund that could be funded over a number of years to put the monies away for the next flyover, topography update or other GIS-related items. The question becomes how much they want to fund, based on the scope of what they believe the effort to be. When you look at the big picture, the Town Engineer has come up with an estimate of \$90,000 every six to seven years. This is something that could be considered during the next budget discussions, taking into account offsetting tax mapping fees collected, future cost of flyovers, topography updates, etc., to determine the proper number. It could be set up to be expendable by the Board of Selectmen, through the budget process. This might not pay for all of it, but a good part of it. Capital reserve funds are basically non-lapsing, so it can be rolled forward. Funds such as this are used for a number of things, such a fire apparatus. Fine tuning the number can be looked at closer to the budget process. This needs to be established by warrant article.

Selectman Maddox said this goes back to the Town Engineer. They should take a look at the big picture, what they will need to do it, how the \$90,000 will be encompassed as far as another flyover in six or seven years, the topography of certain parts of Town, where they can get more funding from as far as user fees and those types of things, and come back with a proposal in two months or so to give them a better handle, so it's not just at the budget meetings; it's something they've already discussed in advance of the meetings, and the Town Engineer has time to give them the big picture spanning the next 10 years, whatever that number may be, so they can see what monies need to put in there.

Chairman Massey suggested deferring this until July 12. Selectman Stewart so moved, seconded by Selectman Maddox.

Selectman Maddox clarified that the scope would be the Town Engineer will give what he thinks it is going to cost and Community Development and the Town Administrator will work to find out what they have been able to take in per year in fees and where those might be adjusted and other funding sources before they go to the taxpayer.

Vote: Motion carried 5-0.

Motion by Selectman Stewart, seconded by Selectman MacLean for a recess at 8:13 p.m. carried unanimously. Meeting resumed at 8:20.

**E. Webster Street Traffic Analysis**

Community Development Director Sean Sullivan and Steve Williams, Executive Director of NRPC. Mr. Sullivan said Selectman Stewart had asked him to work with NRPC to do some research for the Town as it relates to traffic data on Webster Street. Back in the fall, the Board had discussions on this issue and made a determination (not to reopen Webster Street to southbound traffic in the mornings). He and Selectman Stewart met with Mr. Williams to establish the scope of this study and then again to go over the data. Tonight's PowerPoint presentation is the result.

Mr. Williams said he was present to discuss the analysis of changes to the intersection of Webster Street and Ferry Street. The Hudson Board of Selectmen had requested an analysis of the impact of opening Webster Street to allow southbound right turns onto Ferry Street, westbound across the bridge. NRPC conducted this analysis using its Regional Travel Demand Model. This application analyzes travel time and assigns trips to the shortest travel time path; accounts for congestion and diverts traffic to alternate paths; it is calibrated to traffic counts covering the entire region and it is the most detailed model in the State, specifically designed to analyze these types of problems. The current capacity at McDonalds on Derry Street is 25,500 vehicles per day; actual traffic volume is 31,149 vehicles per day (2003 count); approximately 9,000 vehicles per day divert to other routes; the total traffic wanting to use Derry Street is approximately 40,000 vehicles per day. Using a PowerPoint presentation, he explained the statistics. In conclusion, opening Webster Street for right turns southbound to Ferry Street, westbound, will have virtually no impact on traffic on Derry Street; will increase overall traffic on Webster Street by 75%; will result in limited traffic improvements on Greeley Street, Robinson Road and Cummings Street; will impede intersection operations at Elm Street and Webster Street, Webster Street and Grand Avenue, and Webster Street and Cummings Street; and will marginally improve

intersection operations at Cummings Street and Derry Street.

Selectman Stewart said the main reason for asking NRPC to do this traffic study was to answer both sides of the question for the residents in that area. Now the Selectmen have the data to back up their decision not to open up Webster Street and they can go forward with the Executive Council, the State and other towns to possibly look at a third bridge over the Merrimack, which everyone agrees is needed to alleviate significant traffic out there. Selectman Maddox said this ties in with the bigger picture and significant item that is coming up later on the agenda. The whole Hudson center--Central Street, Chase Street and Derry Road, Ferry Street—needs to be looked at as one big project. They plan to look at a part of that later on, but they really need to look at signalization coordination between all of the lights, doing some improvements, but looking at the big picture rather than small pieces of it. It is more expensive, but unless they look at the big picture, they will end up fixing a small part but will make other parts worse. He appreciates this state-of-the-art traffic model that NRPC presented so they could look at the ramifications of “if you do this, then this will happen.” He never thought Greeley Street traffic would drop by opening up Webster Street, but there would be no appreciable difference on Derry Road. When they get into that issue later on, he hoped they would look at the big picture, coordinating this data with those intersections to address the traffic congestion in the center of Hudson.

Selectman Cole asked Mr. Williams about future possibilities for a third bridge. Mr. Williams said starting a couple of years ago, NRPC began working with the four communities in question and NH DOT to discuss the traffic situation, given the available resources to the State, it was highly unlikely that the project would ever be constructed due to the high level of expense. At the March 2004 board meeting, the NRPC approved a motion to ask the NH DOT to enter into an agreement with the four communities and NRPC to look at alternatives, with the hope of identifying an alternative that would be lower cost than the estimated \$200 million for the full circumferential north partial build project, as it was proposed, and also that it would provide that third bridge and some traffic relief for the key traffic impacts that are taking place in Hudson. In September 2004, Commissioner Murray was at the NRPC meeting and she reiterated their commitment to work with them on that basis. The concern that he has, due to staffing issues, the pursuit of that study has not moved forward at NH DOT. Without some strong indication of interest from Hudson and/or some of the other towns, that study might languish, not because they think it’s a low priority, but because they have a lot of other things on their plate at DOT headquarters. It might be appropriate for the Town or the Town’s Legislative Delegation to make contact with NH DOT and Commissioner Murray and emphasize to her the importance of moving forward with that study and begin the process of identifying an approach to get that third bridge and appropriate traffic improvements throughout Hudson and the other communities. Selectman Cole thought the Legislators *were* moving forward with this; that was the indication he had received, but evidently they haven’t gone forward as a body. Mr. Williams said the existing proposal for the circumferential highway remains in the 10-year transportation plan, but he didn’t know if it will be carried over to the next transportation plan that will be under consideration by the Legislature in about a year and a half. His concern is that they need to move forward with the study and get DOT engaged on a viable plan so that they can start moving through the process to get it funded and developed. Selectman Cole said assuming that Hudson wanting a third bridge comes as a big surprise to Commissioner Murray, asked Mr. Williams what his recommendation was to get the hook into DOT to get their attention and get them motivated and enthused. Mr. Williams thought it would be appropriate for members of the Town Senior Staff—the Town Administrator, the Community Development Director, the Board of Selectmen and members of the Town’s Legislative Delegation—to actually go meet with Commissioner Murray and discuss the issue with her. He was at a meeting with her today on another issue and told her he was coming to this meeting tonight, so she is aware that he has brought this information to the Selectmen’s attention.

Chairman Massey asked if Selectman Maddox wished to add a follow-up. Selectman Maddox asked if he was referring to the traffic analysis. Chairman Massey said the larger issue that he had raised. Selectman Maddox said he’d bring it up later.

(Start Tape 2-B)

## 8. NEW BUSINESS

### A. NRPC Draft Regional Bicycle and Pedestrian Plan

Community Development Director Sean Sullivan and Steve Williams, Executive Director of NRPC. Mr. Sullivan said Mr. Williams was here tonight to receive any comments from the Board about this bike plan. Mr. Williams said the Bike and Pedestrian Plan is one of the modal elements of their long-range transportation plan. They are in the process of updating all of them. They updated and adopted their regional transit plan in December 2003. This plan will replace the document that was adopted in 1995, which identified a list of proposed bike and pedestrian routes throughout the region. This is a second-generation bicycle and pedestrian plan. It makes recommendations, not only to a list of proposed routes, but it also recommends ways that the communities of the region can begin effecting the development of particular routes and their practices with maintenance and operation, with educational folks in the community, and with enforcement of State laws to make the region more bike and pedestrian-friendly. As a section of their long-range transportation plan, this plan is advisory to the committees. There is nothing that requires the Board of Selectmen to take specific actions. This sets the policy that NRPC is going to be pursuing as they look at future developments in the transportation system and indicates some areas that they would like to work with Town staff on over time to begin making the communities of the region more bike and pedestrian friendly. They presented this to the Commission’s meeting in March. At that time, members asked them to send it out to the Board of Aldermen in

Nashua and the area Boards of Selectmen for a further review, which was done. They are going to be reconsidering this item at their meeting in mid-June, so if the Board would like to make comments, they can do so prior to that date so they can be provided to the Commission members for their consideration.

Selectman Maddox said he was at the NRPC's presentation. This appears to be the wave of the future, as gas hits \$4 a gallon. He thinks there needs to be a coordinated effort between all the communities in the area to make this a seamless bike path. The signs that Hudson uses are completely different from those used in Nashua, or Pelham. He'd also like to see NRPC be the point person on possibly getting a grant to do some of the things they've outlined, such as the grates on the roadways, markings, etc. that would cover a chunk of the region, instead of Hudson going out to get a \$10,000 grant. NRPC could do it for the region, to put up consistent signs, markings, etc. This is where NRPC needs to be a regional planning mechanism, instead of Hudson reinventing the wheel. NRPC has the knowledge of the area and the staff, so it makes sense. This is a good document for those people who bicycle. He hoped NRPC would be looking at funding, as a general rule. If this document was sent to Kevin, he'd look at the grates to make sure they are the correct kind, street sweeping, and those types of issues. This should be done regionally; Hudson doesn't have the time or the staffing to do it correctly. A grant for the whole region would make more sense. Selectman MacLean said she was thinking the opposite of Selectman Maddox. She understands this is a regional document, and if NRPC can do this for the Town, foot the bill, that would be great, but she loves the idea of sidewalks and a bike route. She thought this was a document that individual towns could use to take steps to go ahead and create something on their own. She thinks bike and pedestrian paths and nice sidewalks would be highly supported in Town.

Mr. Williams said in speaking to Selectman Maddox' comments, that's exactly what NRPC hopes to do; form a regional bike-ped committee that is make up of folks from the communities and their staff that can work together to try to achieve the types of things Selectman Maddox was talking about. With regard to Selectman MacLean's comments, it is their hope that the towns will take it upon themselves to develop town bike and pedestrian plans that are consistent with this document. Merrimack has already approached them about doing exactly that. Relative to funding, they receive major funding from the federal government through the State of NH for providing transportation planning services like this, so it's their intent to help communities with these plans at as low a price as they possibly can. For instance, the presentation he made earlier was something he was able to do at no cost because the federal government provides a large amount of funding for transportation planning.

Selectman Maddox asked, as part of the draft plan, for some sort of guidelines as far as dollar value—shoulder striping or grating—a cost per mile so they will know what they are getting into. To say, "let's do this," without having any idea what it will cost is a pratfall they don't want to get into. Mr. Williams said public works folks have a very good handle on what it costs them to do these types of things. NRPC would want to sit down with them and establish what those cost factors are and make them available for the Board's consideration because another issue is how much of that shoulder striping, signage, grate replacements, etc., actually needs to be done, which will vary from town to town.

Chairman Massey believed the next step would be for the Community Development Director and the Highway Department to put a proposal before the Board. They could get together to decide what, if anything, the Board should look at in the way of implementing all or some of these items at a future Board meeting. Mr. Sullivan said they could do that.

Mr. Williams said two years ago, Hudson submitted a grant application for funds to do some signal coordination in the downtown area that Selectman Maddox referred to earlier. That was sort of the first project out of the money in that round of funding consideration two years ago. They are coming back up to application time for C-MAC funds once again and he will be bringing that to the attention of the Community Development Director in a few weeks. The Town can either reapply for that project or other projects that will benefit either congestion or air quality in the community. He'd be happy to work with the community to put any applications together.

#### **B. Award of Bid for Townwide Paving Project**

Road Agent Kevin Burns detailed specs were prepared and it was advertised, as required and direct-mailed to four qualified vendors. They received two bid packages and his recommendation was to go with the low bidder, Brox. Selectman Stewart asked if the school had any projects this year. Mr. Burns said yes and will piggyback on the Town's price. They are going to finish the last section of Nottingham West, the third and final phase for the parking lots and will be building the last section of the Memorial School parking lot. Selectman Stewart said this was a good example of the Town being able to save money for the school side of the house. Selectman Maddox said the bid came in for more money than was allocated. Mr. Burns said the \$400,000 was a not-to-exceed amount, so he will have to eliminate a street in order to not overspend. This morning, he recalled that last year Selectman Maddox asked how much it cost to do a mile of paving, so he was prepared with that answer tonight. To totally reconstruct a 26' wide roadway costs \$125,000 per mile—reclaiming, regrading and repaving. It doesn't take into consideration any drainage, sidewalks, land-taking, etc. Selectman Maddox was impressed that the Road Agent remembered and presented that information.

Selectman Stewart asked the Road Agent to give a brief description of the machine he had her take a look at. Mr. Burns said he has been looking for ways of trying to save the roads the Town already has, so he rented a grinder, which is an attachment that



fits on to their Bobcat. They worked on Central Street, Library Street and Lowell Road with the grinder, taking off the top 2" of the really rough areas. It cost \$300 a day for the grinder, but they did more quality patches in one day than they could in two weeks in the old way of going out with the jackhammer and excavator, digging it all out and repaving it. They'd grind it and then a paving crew would come in behind it and repave it. He plans to put that in the budget this year—about \$10,000 to buy one. Chairman Massey said the difference was definitely noticeable on Lowell Road. The crews did a great job with that, as well as on Library Park today. It looks beautiful.

*Motion by Selectman Maddox, seconded by Selectman Stewart, to award the Townwide Paving Project to the low bidder, Brox Industries, in an amount not to exceed \$400,000 as recommended by the Road Agent and Finance Director, carried 5-0.*

**C. Fiscal Year 2006 Operating Budget (Transfer of Funds to Library)**

Town Administrator Steve Malizia said at this year's deliberative session, there was an amendment from the floor to add \$10,000 to the operating budget, with the intent being to put it to the Library. However, that wasn't specifically identified, so the amount didn't go into that fund. The Library Trustees had asked for a legal opinion. Attorney Buckley's response indicated that the Board of Selectmen has the discretion as to where to put the funds. That is why he put it on the agenda for the Board's consideration. Selectman Maddox said the Budget Committee took it out for a reason; the Library hadn't expended the money they had in their budget in the three previous years. On the floor of deliberative session, they made a motion to put the money back in, but they are also looking to get \$20,000 put into their capital reserve with any monies they have left over, so he is torn. They need money for more books they haven't bought in the past, but they want to have a surplus. They didn't use it before, so why do they need additional monies in that account? Chairman Massey said this item did not come up for deliberation by the Budget Committee until after the entire budget had been completed. On the wrap-up night, without any prior notification, a motion was made to strike \$10,000 out of the book and materials fund. When that motion was made to remove the \$10,000, the primary reason given was that the Internet was replacing books. That was the reason, not because the money wasn't being used. At the 11.99<sup>th</sup> hour, a motion was made without any prior indication that there was a problem in that area. Selectman Maddox said in 02 it was \$68,000; in 03 they spent 54; in 04 they spent 44; in 05 they asked for 61. It's a case of if they're not spending the monies, why do they need the additional 10? Chairman Massey said he was explaining why the cut was made.

Selectman MacLean said at the deliberative session, she voted against adding the \$10,000. Everything was said and done and she didn't like change, so she voted against it, but nothing tonight changes the fact that the intent of the voters, on that day, was to put the money into the Library materials fund. She didn't realize at the time that he was speaking his motion incorrectly and she wonders why no one, at that time, didn't inform him that his motion was not correct for what he wanted to accomplish. The issue before them is the intent of the voters, not whether or not they should get it. The voters voted to put it in that line item and it should go there.

*Motion by Selectman MacLean, seconded by Selectman Cole, to amend the Fiscal Year 2006 Library budget by adding \$10,000 to budget line item 5060-327, Library Materials.*

Selectman Cole said he was at the deliberative session and knows what Mr. Knowles was attempting to do. He asked the Budget Committee Chairman, Howard Dilworth, what his understanding was of why the \$10,000 was cut by the Budget Committee. Mr. Dilworth said, as then-Vice-Chair, he presided over most of the meetings on the Town's budget because Chairman Schweiss was out due to back surgery. Although the action occurred on wrap-up night, which may have appeared to have been at the 11.99<sup>th</sup> hour, wrap-up night is built into the process for a reason, in case people want to go back and revisit things, that maybe the first time around they were not comfortable with something. This is also held prior to public hearing. There were comments at public hearing to restore the \$10,000 but the committee didn't feel that was the appropriate thing to do. The explanation for the motion for removing the funds was there would be a need for less books because of the Internet. However, in all fairness to what Selectman Maddox has offered, those who have gone back and reviewed requests v. actual appropriations have noted that monies requested is not always expended and, in some cases, it amounts to several thousands of dollars left over. Several years ago, the Board of Selectmen, on his recommendation, requested almost \$130,000--that they had been allowed to erroneously keep in their reserve account--be turned back to the Town. If the Selectmen want to dodge a bullet tonight and think about it a little longer, he suggested that the money be put in Contingency for now. Selectman Cole said he would support the motion and requested a roll call vote. Selectman Maddox said he will vote against the motion and, if it does not pass, he will move to put it in Contingency to be used by the Library, if they exceed their library materials budget. Selectman Cole called for a point of order and asked if Selectman Maddox was amending the motion on the floor. Chairman Massey said Selectman Maddox was just saying what he was going to do if the motion doesn't pass. Selectman Stewart suggested that he make an amendment. Chairman Massey thought it would be cleaner to act on the motion first and asked the clerk to call the roll.

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

**D. Award of Bid for Roadway Engineering Projects—Library & Central and Chase & Central Streets**

Community Development Director Sean Sullivan said a few months ago, the Board authorized the Community Development

Department to seek engineering design bids for the improvements at the Library-Central and Chase-Central Street intersections.

(Start Tape 3-A)

He met with and discussed the process with the Town Administrator and Finance Director and was recommending awarding the bid to the lowest qualified bidder. Selectman Stewart asked why there was such a big difference between the highest and two lowest bidders. Mr. Sullivan said he wasn't sure the high bidder completely understood the scope of the project and their amount of detail exceeded what was actually needed. He asked that a change be made to the corridor accounts this would be expended from. He'd like to change the Lowell Road 3A account to the Central Street Route 111 corridor account, which has a current balance of \$638,566. Selectman MacLean asked if this money was for the design or for the actual work. Mr. Sullivan said just for the design. They would pay an engineer to look at these two intersections and design improvements to them. They would then come back to the Board and go through another bid process for a construction price.

Selectman Maddox said NRPC put together a document of the Town's intersections, detailing all of the intersections in failure, etc. He thinks they need to look at the whole area triangle, from Central Street to the bridges, as part of a package. Doing what they are doing here will alleviate this, but possible cause other problems downstream. He noted that the Town Engineer was jumping up and down. Mr. Sullivan said they did apply for a C-MAC grant a year and a half ago but were not successful. They asked for something similar to what Selectman Maddox was suggesting, but they were not funded. He met with Selectman Massey and the Town Administrator because they knew they had some local resources available to take a look at these two intersections. They have some data from the Hudson-Litchfield traffic study that does show that level of service at both these intersections are at D or F at peak morning and afternoon hours. He didn't disagree with the broader scope, but they struck out with it. If they apply again, it might be another whole fiscal year before they find out if it is approved. This project could be done a lot sooner. If the Board does approve submittal of the C-MAC application, if the Town were to have this design in hand and had already expended \$90,000 raised by fees, they would likely qualify at a much higher rate. Chairman Massey said on the C-MAC grant, they were going to have to spend around \$90,000 for the Town's share of that project. Selectman Maddox said this was nice, but they should look at the whole area. Of course, the price would go up, but it could be a phased project. At least they were looking at the total package. They know they will have to do something with Webster Street at some point. Doing it piecemeal is not the answer.

Town Engineer Tom Sommers said typically, he'd agree with Selectman Maddox, but they already know these are going to be issues. He didn't think that fixing them now would have that great an impact on the big picture. However, as part of this, he suggested having the modeling done as signalized, and you'll get that answer. There was also a regional study done by (he thought) Vollmer awhile ago that took a look at this more regionally. This was dealing with two intersections, and he didn't think the big picture was going to change until a bridge in Litchfield happens. It is worthwhile to have NRPC step in to use the regional model to evaluate how things work in toto. That way, they aren't spending the other money to do that, and that might be a good thing to do, in conjunction with this project. It won't take away the need for those intersections' need for signals.

Motion by Selectman Stewart, seconded by Selectman Cole, to award the roadway engineering projects of Library and Central and Chase and Central Streets to the lowest bidder. CLD. in the amount of \$90,000, which will come from the Central Street Route 111 corridor account carried 3-2. Selectmen Maddox and MacLean voted in opposition.

**E. Sewer Utility Committee, Policy and Procedures Revisions, III H, I & J**

Sewer Utility Consultant Tom Sommers these changes were updates to comply with the way business is done in Town. The Committee is reviewing all of their policy and procedures with respect to what still fits and what doesn't. He hoped they were self-explanatory and wouldn't have to go through all of the changes, which were highlighted to be easily identifiable. Nothing really changed. Selectman Maddox questioned a handwritten notation. Mr. Sommers that during the review process by the Sewer Utility Committee, Selectman Massey pointed out that what they had was the policy and not the governing ordinance. The notation on the final document will be typed in. Selectman Maddox thanked Chairman Massey for having caught it already.

Motion by Selectman MacLean, seconded by Selectman Maddox, to approve the changes, as recommended by the Sewer Utility Committee on March 10, 2005 carried unanimously.

**F. Public Hearing/Receipt of \$1,000 Donation from Nottingham West Lions Club to the Fire Department**

Chairman Massey opened the public hearing at 9:22 p.m. and asked if anyone in the audience wished to speak. There being no one, he closed the hearing.

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

**G. Award of Bid for Relocation of Heating and Air Conditioning Ducts at Hudson Community Building**

Selectman Stewart said this was the first phase of the renovations to the Community Building, to fit it up for use by the Summer Rec program. The original estimated cost was \$18,000. When the bids came in, one was for \$9,860 and the other at \$7,250. Recreation Director Dave Yates said they had changed the configuration for the heating ducts. Initially, they were going to go above the ceiling, but several contractors thought it would be better to remove the middle duct and put the other two on the

interior walls, as high as they could. It will take one week, as opposed to three weeks. It will work fine and will also save a lot of money. Selectman Maddox asked if the bid specs requested putting the ducts above the ceiling, or if it was changed along the way. Mr. Yates said the change happened after the walk-through, so they re-sent the addendum to the five they originally sent it two, and there were two additional contractors that came in, and they were also given the addendum. They all bid on the same thing. Selectman Maddox asked what size ductwork the two outside ducts would be. What is there is about 36" so if the middle is removed, he wondered if the ones on the corners would be 4' x 4'. Mr. Yates said it would be the same ducts that are there; they are just going to move them as high and tight to the ceiling that they can, and as far to the corner as they can go. Right now, they hang down about 2'. The middle one will be gone completely and there will be vents installed on the back wall. The trunks that are hanging off the ductwork will be cut back, so there won't be any loose hardware hanging over. All of that should do the trick.

*Motion by Selectman Stewart, seconded by Selectman MacLean, to award the bid to relocate existing heating and air conditioning ducts at the Hudson Community ~~Building~~ Center to the low bidder, Rockingham Sheet Metal, in an amount not to exceed \$7,250, as recommended by the Recreation Director and Finance Director.*

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*Amendment by Selectman Cole, seconded by Selectman Stewart, to change the word "Building" to Center carried 5-0 after a brief discussion.*

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*Motion by Selectman Stewart, seconded by Selectman MacLean, that the building located at 12 Lions Avenue will be known as the Hudson Community Center (formerly known as Lions Hall) carried 5-0. Chairman Massey said the facility is now formally known as the Hudson Community Center.*

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## 9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

**Kathleen MacLean** reminded everyone of the curbside leaf pickup on May 7, May 14 is the Robinson Pond cleanup and on Saturday, May 21 is Benson's cleanup—adding that cleanup of her yard will be announced at a later date.

*Bill Cole moved that the Chairman of the Board of Selectmen, in coordination with the Senior member of Hudson's Legislative Delegation and Senator Clegg, invite the DOT Commissioner to a workshop/meeting to be held in Hudson (date, time and location to be determined) to introduce the Department of Transportation to the Town's support for the third bridge solution and to explore, with the Commissioner's assistance, possible and viable courses of action to implement the construction of said bridge, seconded by Selectman Maddox.*

Selectman Cole thought the three people—Chairman Massey, Senator Clegg and the most senior Representative member—could put together a letter, an invitation, to the Commissioner.

*Vote: Motion carried unanimously.*

**Terry Stewart** said this Saturday, the landfill will be open from 8:00 – 2:00 for people that want to bring their leaves and stuff to the landfill. For those of them who grew up in Town, going to the dump every week used to be a social event. Chairman Massey interjected that he used to campaign at those places. Selectman Stewart said she was a little young for that, but she remembers the Selectmen and Smokey being there.

Officer Kevin Sullivan was discharged from CMC on Saturday and is resting at home with Akim and Dino--and Beverly. He will be out of work for the next three weeks for recuperation.

On April 20, at approximately 10:15 p.m. a robber happened at the Exxon gas station. The Londonderry K-9 was called in to assist and tracked the immediate area. Officer Mike Davis came on duty at 10:30 p.m. and immediately checked his sector and noticed a male subject walking northerly on Route 102. When Officer Davis approached the male subject, he ran. Officer Davis pursued on foot. The male subject was apprehended by Officer Davis after the Taser was deployed. The male suspect confessed to the robbery and also to another robbery in Nashua. The money was recovered and the case is still under investigation. Good job to the Hudson PD and the Londonderry K-9 Unit.

On May 14, from 1 – 4 p.m., the Hudson Police will be having an open house at their facility.

Police Department's request for a pair of VHF is being reviewed by APCO and the FCC. These frequencies are needed to procure the second half of the new digital radio system.

Congratulations to the two new police officers, Pat Broderick and Roger Lamarche, who graduated from NH Police Academy on March 25 and have been assigned to a field training officer for the next eight weeks.

**Rick Maddox** said he wanted to make his position clear on why he voted against the intersection studies. He thinks they are being short-sighted and they do need to look at traffic as a whole. He looked at what NRPC sent and the ones they received by e-mail with color and all the details. You could see the unexpected consequences of doing one think with traffic. He never saw Greeley Street's traffic being impacted as much as it was. They are doing a good thing, but in a small portion. He hoped they would look at the bigger picture. He voted against that particular item, not thinking it wasn't worthy, but they do need to look at the bigger items.

**Ken Massey** said an additional item on the Police Department open house, they are giving tours and demos, showcasing safety and crime prevention programs. He encouraged all Town citizens to get out there.

#### 10. **NONPUBLIC SESSION**

Motion by Selectman Maddox, seconded by Selectman MacLean, to enter Nonpublic Session under 91-A:3II (b) The hiring of any person as a public employee; (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; and (e) Consideration/negotiation of pending claims/ litigation which has been threatened in writing or filed against the body or agency or a subdivision thereof or against any member because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or settled carried 4-1 by roll call vote. Selectman Stewart voted in opposition.

Nonpublic Session was entered into at 9:38 p.m. and was terminated at 10:55 p.m.

Motion by Selectman Maddox, seconded by Selectman Cole, to seal the NPS Minutes carried 5-0.

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Open session motions:

Motion by Selectman Stewart, seconded by Selectman MacLean, to hire Shawn O'Donaghue as the 2005 Summer Program Director for the fee of \$5,000, as recommended by the Recreation Director, carried 5-0.

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Motion by Selectman Stewart, seconded by Selectman MacLean, to hire Cindy Holton as Ladies League Softball Director for the fee of \$500, effective April 27, 2005, as recommended by the Recreation Director carried 5-0.

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Motion by Selectman Stewart, seconded by Selectman MacLean, to hire Shawn O'Donaghue as Teen Basketball League Director for the fee of \$750, effective April 27, 2005, as recommended by the Recreation Director carried 5-0.

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Motion by Selectman Stewart, seconded by Selectman MacLean, to hire Alison Shupe and Lisa Terwilliger as 2005 Tennis Instructors at \$12 per hour and Kevin Terwilliger as substitute Tennis Instructor at \$10 per hour, effective June 2, 2005, as recommended by the Recreation Director carried 5-0.

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Motion by Selectman MacLean, seconded by Selectman Stewart, to hire the following 2005 Summer Staff, effective May 28, 2005, as recommended by the Recreation Director: at \$9.00 per hour--Rachel Bailey, Ryan O'Toole, Leslie Desrosiers, Frank Girginis, Kim Malley, Michele Martineau, Michael Morin, Sean Sendall, Debra Smith and Janice Walsh; at \$8.50 per hour--Jaci Bergeron, Richard Charette, Sarah Jardim, Kaitlin Laquerre, Derek Lee and Krista Stott; and at \$8.00 per hour--Brooke Hunter carried 5-0.

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Motion by Selectman Stewart, seconded by Selectman MacLean, to hire the following 2005 Substitute Counselors, effective May 28, 2005, as recommended by the Recreation Director: at \$9.00 per hour--Ralph Carpentier, Timothy O'Donaghue, Kim Malley, Thomas Tollefson and Kristin Yates; and at \$8.00 per hour--Paul Durham, Katelyn Ives and Jilly Lagasse carried 4-1. Selectman Maddox voted in opposition.

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Motion by Selectman Stewart, seconded by Selectman MacLean, to hire the following 2005 Summer Counselors-in-Training, effective June 17, 2005, at \$6.25 per hour, as recommended by the Recreation Director: Rich Dauber, Diana Parsons, Quinn Sendall and Tommy Scurini carried 5-0.

#### 11. **ADJOURNMENT**

Motion by Selectman Maddox, seconded by Selectman MacLean to adjourn at 11:01 p.m. carried unanimously.

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**

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