

HUDSON, NH BOARD OF SELECTMEN

Minutes of the August 24, 2004 Meeting

1. CALL TO ORDER by Chairman William P. Cole at 7:00 p.m. in the Selectmen's Meeting Room at Hudson Town Hall, 12 School Street.
2. PLEDGE OF ALLEGIANCE, led by Selectman Kathleen MacLean.

Moment of Silence Chairman Cole called for a moment of silence for "Smokey-the-Mayor" Demanche, who recently passed away.

Swearing-In of Police Officer Chairman Cole swore in Greg Henderson as a Police Officer, who was hired on August 10, 2004. He will be attending the Police Academy. Following the swearing in and subsequent congratulations by the Board, Chairman Cole recognized Officer Henderson's parents, Bill and Betty Henderson, his sister Rebecca and her husband Dan and Officer Henderson's girlfriend, Christine Rafferty.

3. ATTENDANCE

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

Staff/Others: Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Richard Gendron, Chief of Police; Officer Greg Henderson; Bill and Betty Henderson, Rebecca Henderson and her husband Dan; Christine Rafferty; Tom Sommers, Town Engineer; Shawn Murray, Fire Chief; Fire Fighters Steve Benton and Jamie Paquette; Atty. Robert Welts; G. Phillip Rodgers; Cable Committee members Coleman Kelly and Denise Babcock; Joe MacLean; Howard Dilworth, Jr; Ray Rowell; Leo Bernard; Anne Lundregan, TEL

4. PUBLIC INPUT

Steve Benton, 20 B Pelham Road, President of the IAFF Local 3154, read the following prepared statement: Mr. Chairman, I come before the board tonight to respond to remarks made by selectmen in reference to the fact finders report issued for the fire fighters union contract. Just over a month ago, the board of selectmen voted to reject the fact finders report and to sent it to the warrant with their recommended, rejection. I would like to start by providing some background information on the negotiation process itself. The professional fire fighters of hudson and the board of selectmen entered negotiations in july of last year. At the beginning of the negotiation sessions we had over 35 different items that were brought to the negotiation table by both parties, the board and the union. All items were either agreed to or conceded on except for 12 items. Those 12 items proved to be a significant hurdle for both parties. In the fall of last year an impasse was declared. Once the impasse was declared, the next step was mediation. The town and the union agreed on a mediator by the name of james cooper. Mr cooper assisted both parties in a day long mediation session that resulted in many resolutions. With no agreement in sight, the town and the union agreed to allow mr. Cooper to serve as the fact finder and issue a recommendation that would be fair and equitable to both parties. Mr cooper was tasked with issuing a recommendation that would resolve the 12 items left on the table. He based his report on information obtained from both parties, the town and the union. When mr. Cooper sat to review his findings, he had only 12 items to decide on: The first of four items he had to review resulted in no cost to the town, they were word changes and the fact finder found in the towns favor. The four items were: 1. Discipline and termination clause; 2. Overtime clause 3. Duty shift swaps clause 4. Lay off clause The second set of items tasked to mr cooper for recommendation were the following: 1. 24 hour shifts 2. Promotional. The fact finder made a recommendation that was in the best interest of both the town and the union. Mr cooper recommended both parties form a committee. The results of those committees would be sent to both parties for possible additions to the next contract. When the fact finder was given the next two items: Military leave & Jury duty. These were the result of wording changes necessary for our members serving either in the military, such as gerry carrier who is now serving in iraq or being selected for jury duty. These two clauses would clarify what the town would provide and what the union could expect. Mr cooper stated in his report that both parties use the towns language with minor changes. Again found in towns favor. It is the belief of the union that the following four items are what caused the impasse, also why the selectmen voted to reject the fact finders report and to not recommend the fact finders report. 1. Earn time. In 1990 the "then" board of selectmen insisted on giving union members a benefit called earned time. Since 1990 the board has tried to dilute and or eliminate the earned time clause. The town wanted to stop union members from being able to carry over from one year to the next an unlimited amount of time. This despite members only getting paid at a preset cap. During mediation the union and the town were very close to a solid agreement that was going to be beneficial to the town. Mr. Cooper was tasked with clarifying a few word items in the clause. Mr cooper recommendation was in the towns favor. This means that the town could see a reduced cost in the overtime and buyout amounts at retirement. 2. Wages. The original union proposal included a cost of living increase in the range of 3.0 to 4.5 percent, which is in the current contract language. The union also requested an across the board step increase to continue parody between surrounding area towns. The town offered no across the board increase, which was promised last contract and they wanted to reduce the cost of living increase to 2.5 percent to 4.0 percent. During mediation the regional cost of living increases for the region was revealed to be 3.8 percent. Both parties agreed to the 3.8 percent. Mr cooper was tasked with determining whether or not to recommend the across the board increase. He was also asked what to do about the second year of the contract. Mr cooper came back with a recommendation that was beneficial to both parties. He decided that it was both fair and equitable to eliminate the across the board increase and to allow for the current contract language. This means that the cost of living increase would be determined by the region cpi again next year. Mr cooper did recommend a few minor pay scale adjustments to rectify several pay problems that existed due to oversights on both parties during last years negotiations. Mr cooper stated in his report that both the

town and the union were so close to agreement on wages that it is nearly impossible for a fact finder to make such fine distinctions between two economic proposals. 3. Residency. This item was brought to the negotiation table by the town. The town wanted to be able to restrict the area where newly hired union members could live. This restriction would only allow new union members to live in a 25-mile radius from the center of Hudson. The union felt this clause was unfair especially to new members. To live in this area would prove to be very expensive to new members, again especially new ones. When starting fire fighters get 12.95 an hour. This was a no cost to the town but a big cost to future union members. Mr Cooper recommendation favored the union. Mr Cooper stated in his report that the town did not show sufficient reason for this clause and that there was no evidence that the town suffered because union members lived outside this 25-mile radius. The last item is image enhancement. 4. Image enhancement. The town brought this item to the negotiation table. The town wanted union members to voluntarily give 4 hours of their off time to enhance the fire department image. First this is illegal. You cannot require someone to volunteer to do the job they get paid to do. The town wants union members marching in parades or any department function designated by the fire chief. The union already promotes and protects the image of the fire department. The union was taken aback by this new clause. The union has shown in the past, present and will in the future that we promote the Hudson fire department. Not just on our off time but every minute of every day while we are on duty. As for off duty here are some of the things we have and will continue to do to enhance the image of the fire department. mda boot drives, fire prevention open house, fire fighters on bikes handing out glow in the dark necklace to kids on halloween. Fire prevention tours, fire prevention open house, giving the town library 1000 dollars for a new computer for public use and 1500 dollars to St Joe's hospital for a pediatric trauma crash cart in their emergency room. Mr Cooper agreed with the union and found in our favor. He said we showed him that we have already and will continue to do our share to enhance the image of the department. In a recent selectmen meeting, the statement was made that our jobs and careers are our calling. It was said that most people would love to have our benefits and working conditions. To approve the fact finders report would cost too much money. My members and I are offended by the remarks of, "it cost too much". What would it cost if the board had its way? You are telling the union fire fighters in Hudson that they are not entitled to a simple cost of living increase because "it cost too much". According to the figures put out by the town the first year will cost the taxpayers 87,201 and the second year would be 90,127. Those figures the town published have all possible related cost attached such as. The cost for the increase in retirement payment to the state by the town is in those figures. The cost to the town for shared insurance costs is in those figures, the cost for federal Medicare is in those figures and all other related cost items are in those figures. Using the town's figures, if the fact finders warrant article is approved, it would cost the taxpayers of Hudson 4.3 cents per thousand the first year and 4.5 cents per thousand the second year. If your home is assessed at 200,000 it would cost you just over 8 dollars the first year and 9 dollars the second year to give your fire fighters the cost of living increase. It would cost you 16 cents per week for the first year and 17 cents per week for the second year to give your fire fighters a cost of living increase. The cost of a medium cup of coffee at Dunkin Donuts is \$1.67. After buying 11 cups it would give your union fire fighters the cost of living increase that they are asking for, for the next two years. The total amount that all 33 union members would see in their paychecks for the first year would be 48,427 of the town's 87,201 figure and 57,750 of the 90,127 of the town's figure the second year. The town's figures include all cost but the union members only see a portion of that money. You then need to deduct pension, insurance and taxes from those amounts that union members get. Two years ago there was a similar warrant article asking the taxpayers of Hudson to vote yes for the fire fighters raises. It was realized then that the fire department was having a very large turn over rate of fire fighters leaving to go to other fire departments primarily for better pay. The selectmen and the town knew and agreed there was a problem. That's when the taxpayers responded and gave us a much needed raise. The fire fighters thank you the taxpayers very much for that raise. Now we need the taxpayers help again, we're asking the taxpayers to support our cost of living increases once again by voting yes on the warrant article approving the fact finder report. In closing it was also stated at a board of selectmen meeting that the fact finder missed the mark as far as the town was concerned and that it is not economically good for the town. How could that be, was it because the board of selectmen did not get the two new articles that they had to have, residency and image enhancement? I do not know but it's a good question. Would the fact that the union has filed for arbitration on duty uniforms having Iaff local 3154 on them. Or the fact that a complaint has been filed with the public employees labor relations board, on the same matter. Did that have anything to do with the board's decision to not recommend the fact finders report? It can't be just economics. This report favors the town and the fire fighters union. The fact finders report cost both the town and union 2,250 each. Plus legal fees. There has been a lot of good money spent already don't you think? I will read a quote from the last paragraph of Mr Cooper's fact finder report and I quote "the recommendations, as made herein, if adopted by the parties will bring about a fair, equitable settlement of this dispute; one in which both the town and the union can take real pride of ownership". End quote. I ask the taxpayers to please remember to vote yes on the warrant article to approve the fact finders report that will give your fire fighters a cost of living increase. Thank you for granting me the time to speak. [sic]

There was no response when Chairman Cole asked if anyone else in the audience wished to address the Board.

5. CONSENT ITEMS

No consent item was removed for separate consideration.

Motion to accept Consent Items A-C, as noted or recommended, by Selectman Stewart, seconded by Selectman MacLean, carried 5-0.

A. Licenses and Permits

Block Party Permit by Laura Bisson for intersection of Nathaniel Drive and Pulpit Drive for October 2, 2004 from 3:00-10:00 p.m.

B. Acceptance of Minutes

Board of Selectmen Minutes of August 10, 2004 to accept, as presented, and refer to file.

C. Committee Announcements

8/25 7:00 Planning Bd in CD
8/28 Boot Drive for MDA at Ferry/ Chase/ Derry
9/01 7:00 Planning Board Wkshp in CD
9/01 7:00 NRPC in Nashua
9/06 Labor Day Holiday—Town Hall Closed
9/07 7:00 Library Bldg Cmt
9/08 7:00 Planning Board in CD
9/09 6:30 Recreation Cmt. @ Rec Center
9/09 7:00 Sewer Utility in BOS
9/09 7:30 ZBA in CD
9/13 7:00 Board of Selectmen in BOS
9/14 NH Primary
9/15 6:00 Library Trustees @ Annex
9/15 1:00 Matt Lehey from Sen Gregg's Office
9/16 7:30 Budget Committee in BOS
9/18 9:00 – 2:00 Benson's Cleanup Day
9/20 6:30 School Board in BOS
9/20 7:30 Conservation Commission in CD
9/21 7:00 Public Hearing re Webster Street @ Lions Hall
9/23 7:30 ZBA in CD
9/28 7:00 Board of Selectmen in BOS

6. OLD BUSINESS

A. Donation of Property (former Meadows Property) by GPR Realty (G. Philip Rodgers)

Chairman Cole stated that on August 10, this item was deferred at the request of Selectman Maddox so he and the Community Development Director could explore the possibility of swapping this land for some at Benson's. Selectman Maddox spoke with Rhona Charbonneau, who didn't think the State would be interested, but she would bring it to the attention of Commissioner Murray because 93 is being widened and they are looking for wetlands for mitigation--but it's not something that is going to happen right away. He suggested that the applicant file an appeal and the Community Development Director suggested a resubmission to the ZBA to clarify the language. Chairman Cole asked if the Board had any interest in accepting the donation from Mr. Rodgers. Selectmen Stewart and Massey didn't. Chairman Cole said there wasn't any reason for the Board to address the matter formally. Atty. Welts said it's impossible for his client to move ahead because of the condition imposed by the ZBA. On Friday, he filed an appeal in Superior Court. He thought they could go back to the ZBA and explain what has transpired and ask them to change the language. Chairman Cole said the Board was sympathetic, but has no interest in accepting that land.

B. Public Hearing on Ordinance 04-03 to establish a Water Utility Committee

Chairman Cole opened the public hearing on the first reading of 04-03 at 7:25 p.m. No one spoke on it, so he closed the hearing.

Motion by Selectman Massey, seconded by Selectman Stewart, to forward Ordinance 04-03 to a second public hearing and second reading on September 13, 2004 for consideration to adopt.

Selectman Maddox asked if copies are posted for people to read this ordinance. Selectman Massey said he'd make sure they were.

Amendment by Selectman Massey, seconded by Selectman MacLean, to A-3, insert the word "by" after the word "prescribed" in the latter part of the sentence and to B-3, add "a capital improvement plan" after "Make recommendations for," carried 5-0.

Selectman Massey said after the second public hearing, they could address a non-user being on the committee.

Vote on the amended 04-03 carried 5-0.

(Tape 1-B)

C. Cable Access Television

Chairman Cole said the document before them addressed the three channels—Public, Educational & Governmental—that the Cable Committee and Selectmen liaison MacLean hammered out, which contains recommendations and proposals for a Town-operated access television, as opposed to a non-profit organization running the operation. The Board's purpose should be to decide whether or not to create an entity called an HCTV committee, and whether or not they want to talk about its membership. He recognized Cable Committee Chairman Coleman Kelly, who said the document did not contain personnel strength and budget considerations because that wouldn't occur until after full implementation of access television for the Town. Selectman MacLean said that everyone at the Cable meeting worked very hard. Everyone had things to say and proper concerns.

Selectman Maddox said he found the document interesting and asked when Mr. Kelly thought they would be at full implementation. Mr. Kelly said that would be extremely difficult to forecast as they don't have a facility and he wouldn't speculate on the will of the electorate in providing staffing. If the staffing does not occur, the concomitant budget is not necessary. Selectman Maddox said if Mr. Kelly was able to put forward a proposed budget figure of \$243,000 - \$267,000 there must be some thought process involved. Mr. Kelly said he estimated a range of \$32,000 - \$40,000 for the Executive Director; \$28,000 - \$36,000 for the Technical Director and a Media Coordinators' salary of \$28,050. Those figures are representative of what is paid in the area. Some Executive Directors are paid a salary of \$60,000. The proposed budget figure does not include any anticipated capital expenditure. Selectman Maddox asked what the current budget was. Mr. Kelly said 103, plus or minus a couple thousand. Selectman Maddox asked if that figure represented the 3%. Mr. Kelly said no, it was close to 120. Selectman Maddox said then even if they went to 5%, they would be dipping into Town funds. Mr. Kelly said if the operation cannot be supported by the franchise fee, it shouldn't be done. Selectman Maddox said they are above that number with salaries alone. He thinks this proposal is way ahead of where they are. A board of governors overseeing \$1/4 million to tape and replay the Selectmen's meetings seemed far fetched. Chairman Cole didn't think the committee was trying to move them past where they should be. His point is there is a scroll on television, saying Welcome to HCTV, but there is no such entity. Creating it is the first step. If they do, then do they want to man it with appointed individuals and then get into policies and procedures, or whatever that takes them to have control and a better product for the three PEG access channels.

Selectman Massey said when one creates an organization, one puts forth a charter, a Performa plan for the first year and a staffing plan. In the absence of any understanding of what they would be doing with five people, he would be hard-pressed to say this is a good idea. For example, what are they going to do until they are at full staffing? What is the role of the thing? Will they just continue to cablecast the Board of Selectmen and School Board meetings? Other communities are enlisting the aid of tapings by utilizing volunteers from High School media departments. What are they going to get by creating a Hudson Community Television? They need to set some expectations that, at the end of year one, people will say they did exactly what they said they were going to do. Just to say that there will be five people and it will cost \$250,000 does not pass muster. Chairman Cole said the number of people on the committee is for another discussion at some time in the future. Selectman Massey said he'd like to know what the cable viewers are going to get if this program is implemented. Chairman Cole asked who was going to put all of that information together to bring to the Board. It's not Coleman's and he didn't think Selectman MacLean would be able to. Selectman Massey said if no one is going to do it, then they should just continue with business as usual.

Selectman MacLean said Page 2 explains the mission statement, and the intent isn't to implement it tomorrow. This document outlines Hudson's dream TV, what they'd like it to be. She thought that the process was pretty well presented. Selectman Massey said when something is put on paper, it takes on a life of its own. He'd like to know how many hours of cable casting this plan would envision providing because the amount of people you need is directly related to that plan. He asked if these would be Town employees. Mr. Kelly said not until they get Town Meeting approval. Selectman Massey was not in favor of a quasi-public/private enterprise having public employees. Chairman Cole said they are getting ahead of themselves. They are not talking about employees; they are talking about volunteers, five appointed citizens, a Board rep and a School Board rep. Selectman Massey asked if the Chairman was referring to the Board of Governors. Chairman Cole said yes, whatever term the Selectmen want to use. Selectman Massey agreed it should be a volunteer operation. Chairman Cole didn't know if there would be an Executive Director of HCTV somewhere down the road. The Board of Selectmen, at its workshop with the attorney and subsequent meetings, was to move forward with a formal structure that could take them step by step into the future so they could adequately and properly utilize the access TV resource they have now.

Selectman Maddox referred to the proposal to form a Water Utility Committee, which he believes is the format they should be following. "To oversee the preparation of by-laws, policies and procedures for the Cable Committee." "It consists of five members, who shall reside in the Town of Hudson." That group, once formed, could then be tasked with working on the policies and procedures. He is concerned when he hears names like Board of Governors and Executive Director, when the only thing done is replaying the Selectmen's meetings. It doesn't justify spending the amount of money outlined in the document before

them. Chairman Cole thought the Board was committed to establishing an HCTV Committee, with a membership, and then that membership would come back to the Board of Selectmen with proposals with regard to policies, procedures, operations, etc. If the Selectmen want to determine what is going to be done, it won't happen, because they just don't have the time. If they don't start moving one step at a time, nothing at all will get done and they won't be doing what they told the voters they would do.

Selectman Massey asked what the difference was between chartering the existing Cable Committee and creating a new HCTV. Mr. Kelley said the Cable Committee was formed in 1993 to be advisors to the Board of Selectmen during the franchise contract renewal process. They don't have a charter to function for access television. He has prevailed upon that membership, as a personal favor, to provide support at Town Meeting, School District Meeting and other special meetings they have taped and shown. Selectman Massey agreed with Selectman Maddox' suggestion to mirror the ordinance that would create a Water Utility Committee.

Selectman Maddox moved to use §B-D of the Water Utility Committee ordinance, changing Water to Cable, for the next meeting. Chairman Cole asked about a School Board rep and a Selectmen's rep being in the membership. Selectman Maddox said that's why he wanted to wait until the next meeting. Chairman Cole directed Selectmen Maddox and Massey to develop a motion for the next meeting to create HCTV so a committee could be established. Rubber-stamping the existing committee was not appropriate. Selectman Maddox suggested disbanding the existing Cable Committee. Chairman Cole said the Cable Committee does far in excess of their original charge. He'd prefer to keep that body in place until they decide what they are going to do. Mr. Kelly suggested the words "access television" be used, not the word "cable," because cable was too inclusive for what they are doing. Chairman Cole said he'd leave that up to Selectmen Maddox and Massey, but for him, HCTV Committee works.

7. NEW BUSINESS

A. Property Value Update Presentation

Chairman Cole said this item was removed by the Assessor, who will be at the September 13th meeting to brief the Board.

(Start Tape 2-A)

B. Burns Hill Road Landfill, Addendum #7, Closure Assessment and Design

Town Engineer Tom Sommers said this is a budget item and the Town has been working with GZA on the project. These are the next steps to deal with, and they are close to closure. NH DES is agreeable with the direction the Town is taking. Leachate is seeping out of the back side of the slope, which the Town is working out with the State. Selectman Maddox asked if they were ever going to see a final plan. Mr. Sommers said there will always be monitoring and if there is an increased level of contaminate, the Town may have to do something else. Selectman Maddox said the paperwork talks about a shallow pit/test pit explorations and wondered if that had been done through previous addendums. Mr. Sommers said it is difficult to understand because it is a dynamic situation in which DES can ask for more information at any time. This is needed in order to determine how the seeps will be controlled. They've done deep wells in the process of doing the fingerprinting study, which showed that the contamination people had in their wells—arsenic, magnesium and radon—was not due to the landfill. Now they have to do shallower pits to control and confine the seeps. Selectman Maddox said the consultant's opinion differs from the recommendations by DES and he wondered if the Town was caught in the middle. Mr. Sommers said he and the consultant believe they need to do more than what DES is recommending. From his observation of the site in all four seasons, he thinks DES is being too simplistic in terms of how to control this item. Selectman Maddox said the paperwork talks about needing a public meeting at \$3,000-\$4,000. Mr. Sommers said if a public hearing isn't needed, the money won't be spent. Selectman Maddox asked if the consultant stayed within budget with the other addendums. Mr. Sommers said yes, with the exception of the fingerprinting study, which was done before he came on board.

Motion by Selectman Stewart, seconded by Selectman MacLean, to approve Addendum #7 to the GZA contract for the investigation, monitoring and closure of the Burns Hill road landfill for an amount not to exceed \$34,000 from 5555-264 carried 5-0.

C. Benson's Cleanup Day Expenditure (spraying for poison ivy)

Chairman Cole said this item was removed from the agenda when the Town Administrator learned that a permit from the State is required in order for a community to spray a pesticide, and it takes 30-60 days for a permit to be issued.

D. Dedication of Annual Report

Motion by Selectman Stewart, seconded by Selectman Massey, to dedicate the Town Report to Ed "Smokey the Mayor" Demanche.

Selectmen Massey and Stewart thought this was a great idea. Selectman Maddox asked if dedications are usually made this early. Chairman Cole said it is done whenever the Board has felt it was appropriate. No matter where you went, you saw Smokey. He was a unique bit of Hudson that will be sadly missed and never replaced. Smokey, who would always tell him not to give up his day job, did not hesitate to let any official know where he stood. Most notable was Smokey's admiration of Town employees, especially the people who worked the streets—DPW, Police and Fire. Smokey loved them, as his comments in the HLN indicated.

Vote: motion carried 5-0 by roll call vote.

E. Acceptance of a \$250 Donation from Sam's Club to the Fire Dept. to purchase Promotional Items for Fire Prevention Week

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

8. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Massey said PMA is supposed to be done this week. He asked that Town Engineer Tom Sommers be recognized.

Update on the Wason Road Sewer Line Extension – Mr. Sommers said the 400' extension on Wason Road has been completed. Since then, he received a call from the consultant with respect to the hydraulic study and a booster station is needed, located close to the start of the line at Stop & Shop. A good location for that would be the old garage foundation, but there needs to be a water line crossing—a line going in and one coming out. The water comes in at a low pressure then boosts out on the high side. He was seeking authorization to expend additional monies to continue the contract with Hudson Paving for an additional \$11,874 to provide two crossings so that paving can be done and it won't have to be disturbed afterwards. He outlined what was in his memo to the Board, which he distributed, saying that this wasn't something he knew about until late last week. Selectman Maddox asked if a 10" crossing was going to be adequate. Mr. Sommers said yes, and it's already there and available. They just have to tap into it. Selectman Maddox asked if a different configuration might be better to avoid crossing Stop & Shop's driveway. Mr. Sommers said that would require putting in another valve, a substantial expense. His recommendation is less expensive and meets the need. Selectman Stewart asked about the additional \$1,600 needed for traffic control. Mr. Sommers thought he could work something out with Stop & Shop, who already has traffic officers out there. Chairman Cole said they could include the extra amount in the motion, just in case it is needed. Selectman MacLean asked where the money was coming from and if there should be more than one bid. Mr. Sommers said the money is coming from the water account, the same as before. The Board has the authority to amend a contract, which is really what they are doing.

Motion by Selectman Massey, seconded by Selectman MacLean, to amend the contract with Hudson Paving for the Wason Road water line extension in an amount not to exceed \$13,474 with funding to be taken from 5592-204, water operation and maintenance large equipment maintenance item, to include installation of a 12" pipe crossing on Wason Road and 10" pipe crossing under the Stop & Shop driveway.

Selectman Maddox was leery of putting in a water line under the driveway because, if they have to expand it, or whatever, they'd disrupt the only entrance and exit. If the \$1,600 isn't spent on traffic control, he asked the Town Engineer to consider putting it in off of the 12" line. Mr. Sommers said keeping the road open longer will add to traffic control. The driveway won't be open that long and, once it is put in, it would have to be a very, very unusual circumstance to open it up again. If he ever wants to change it to 12, he can at almost no extra cost. It's not an issue because it's a very short section. Selectman Maddox said not putting in the 12" now makes no sense, but it's something he'll talk to the Chairman about off-line. Mr. Sommers said he didn't have a problem changing it to 12, as that wouldn't change the price.

Vote: Motion carried 5-0.

Selectman Stewart welcomed back Howard Dilworth, saying she was sure he is anxious to start work on the budget. She gave a big thank you to all of the many Hudson Old Home Days volunteers, too numerous to name. People came out even in the rain.

Selectman Maddox echoed Selectman Stewart's remarks. Eloise thought it event was great—a no-cooking weekend. It was a great group of people having a great time. He hoped it would continue for many years. He apologized for not getting the Chairman the memo relative to Verizon and DSL. He will put it first on his priority list to get that item cleared up. He asked if the Town Clerk would be coming before the Board at some point. Selectman MacLean said she is Cecile's liaison, and the Town Clerk felt that it was very rare that people complained about not having access to Town Hall, so she didn't see a need to come in. Selectman MacLean had suggested that the Town Clerk add her office hours to the television scroll or put it on the web site. Selectman Maddox said if there is a method by which people can avoid taking a day off to come into Town Hall, that information should be shared. Selectman MacLean said she'd get a list of those services and announce them at the September 13th or 28th meeting.

(Start Tape2-B)

Selectman MacLean echoed everyone else's comments about Hudson Old Home Days. It was heartwarming to see the sense of community and all of the different organizations there. She was a judge for the chili contest; they were all delicious. And she won a beautiful prize with one of the tickets she got when she parked.

Chairman Cole congratulated Chief Gendron who, on September 6, is celebrating his 25th year of employment with the Town. Chief Gendron epitomizes professionalism in law enforcement. He's a credit to his profession, his department and the community. Through Dick's efforts, dedication and commitment, and those he has been leading for the past 10, 12 years, the Hudson Police Department has been brought from the depths of an unfavorable reputation, to a point where Hudson has the finest police force in the State. He imparted heartfelt thanks for a job well done and mission accomplished! The Chief received a phone call earlier this evening from his son, Lt. Jonathan, who arrived back in Kuwait after a couple weeks of relaxation back here with his friends and family.

Selectman Massey said the Budget Committee met and fixed their schedule for the upcoming budget cycle, which he will copy to the Board. The deliberative session of Town Meeting will be on February 12, 2005; the School Department will be on February 5, 2005.

9. NONPUBLIC SESSION

Motion by Selectman Stewart, seconded by Selectman Maddox, to enter Nonpublic Session under 91-A:3 II (a) personnel issues; (b) hiring of a public employee; (d) real estate carried 5-0 by roll call vote. Nonpublic Session was entered into at 8:30 p.m. and was terminated at 9:10 p.m.

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

Motion by Selectman Stewart, seconded by Selectman Maddox, to authorize the Fire Chief to appoint John Brewer to fill the position of Captain Training/Safety Officer, with an annual salary of \$62,762 in accordance with the Police, Fire and Town Supervisors' Association agreement, a lateral move in salary, rank and seniority and contingent upon filling the vacancy of Captain in the Fire Suppression Division, created by this appointment, carried 5-0.

Motion by Selectman Stewart, seconded by Selectman Maddox, to authorize the Fire Chief to advertise for a salaried, non-exempt Captain's position within the Fire Suppression Division of the Hudson Fire Department in accordance with the Police, Fire and Town Supervisors' Association agreement, and that the notice will be posted internally and externally, carried 5-0.

10. ADJOURNMENT

Motion by Selectman Stewart, seconded by Selectman MacLean, to adjourn at 9:13 p.m. carried unanimously.

Recorded and Transcribed by Priscilla Boisvert, Executive Assistant

HUDSON, NH BOARD OF SELECTMEN

William P. Cole, Chairman

Teresa Stewart, Vice-Chairman

Kathleen R. MacLean, Selectman

Richard J. Maddox, Selectman

Kenneth J. Massey, Selectman