

HUDSON, NH BOARD OF SELECTMEN

Minutes of the May 25, 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.

2. **The PLEDGE OF ALLEGIANCE** was led by Selectman Ken Massey.

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; Police Lt. Don Breault; Betsy Hahn, NRPC; Kevin Burns, Road Agent; Jim Michaud, Assessor; Fire Chief Shawn Murray; Deputy Fire Chief Gary Rodgers; Deputy Fire Chief Charlie Chalk; Esther McGraw, Benson's Committee; Ray Rowell; Howard Dilworth, Jr; Sally Jeglinski; Ruth Parker; Marilyn Rollins; Anne Lundregan, TEL

4. **PUBLIC INPUT**

Sally Jeglinski, 34 Webster Street re Proposed Traffic Plan for Webster Street said she understands the concern with traffic congestion on 102, but she also has a concern about the traffic being routed down Webster Street, a residential street, as opposed to 102, which is mostly commercial. She requested an in-depth study of the effects this proposal would have on the neighborhood, if it would be enough of a fix to warrant this project and a public hearing to hear from the residents. She wondered why this was even being considered in that the State is planning to widen 102 within two years. This project would cause a safety issue for the neighborhood, as it already is a raceway with the one-way entrance. She volunteered to be on the study committee.

5. **CONSENT ITEMS**

Motion by Selectman Stewart, seconded by Selectman MacLean, to accept the Consent Items, A-E, as appropriate, carried 5-0.

A. Assessing Items

- 1) Veteran's Tax Credits (43 Riverside Ave; 10 David Dr; 7 Wissahickon Dr) w/recommendation to grant.
- 2) Blind Exemption (43 Riverside Ave) w/recommendation to grant
- 3) Elderly Exemptions (48 Highland St; 79 Gowing Rd) w/recommendation to grant
- 4) Current Use Lien Release (Map 230/Lots 22-24 & 22-25) w/recommendation to approve.

B. Sewer or Water Utility Items

- 1) Sewer Allocation, Cookie's Restaurant Expansion, 222 Central Street, w/recommendation to approve.
- 2) Sewer Allocation, 43 Belknap Road, 7-lot subdivision, w/recommendation to approve
- 3) Waivers from sewer connection, (44 Glen Dr; 31 Glen Dr), w/recommendation to grant

C. Licenses and Permits

- 1) Block Party Permit on Richman Road by Michael Girouard for June 12, 9 am to 9 pm w/a rain date of June 13, w/music to cease at 7:00 pm, w/stipulation by the Chief of Police that all of the neighbors are notified and roadway is properly posted.
- 2) Petition & Licenses for Poles
 - a) #9AACGT, Utility Pole & Underground Works, Gibson Road, w/recommendation to approve.
 - b) #9AACGR, Utility Pole & Underground Works, Potter Road, w/recommendation to approve.

c) #925719, Utility Pole & Underground Works, Sir Isaac Way, w/recommendation to approve.

d) #925715, Utility Pole & Underground Works, Greeley Street at Sousa Boulevard and Gabrielle Drive, w/recommendation to approve.

e) #925394, Shepherds Hill, w/recommendation to deny as this is private property.

The following item, which came in late, was taken up separately:

3) Request by the Alvirne Friends of Music to place banners at the Veterans Memorial Bridge to advertise the Chili Cookoff Fiesta on June 6 at the Hills House, to be referred to the Road Agent for sign placement.

Motion by Selectman Massey, seconded by Selectman Stewart, to approve the request, as noted, carried 5-0.

D. Acceptance of Minutes

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E. Committee Announcements

5/26 7:00 Planning Board in CD Meeting Room

5/27 7:30 ZBA in CD Meeting Room

5/31 2:00 Memorial Day Parade

6/1 7:00 Library Building Committee @ Ferry St. Annex

6/2 9:00 am Highway Safety Committee in CD Meeting Room

6/2 7:00 Planning Board Workshop in CD Meeting Room

6/5 2:00 – 4:00 Hills Memorial Library's 95th Birthday Celebration

6/8 7:00 Board of Selectmen in BOS Meeting Room

6/9 6:00 Benson's Committee in BOS Meeting Room

6/9 7:00 Planning Board in CD Meeting Room

6/10 6:30 Recreation Committee @ Rec Center

6/10 7:00 Sewer Utility Committee in BOS Meeting Room

6/10 7:30 ZBA in CD Meeting Room

6/12 8:00 – 2:00 Cleanup Day at West Road Landfill

6/16 6:00 Library Trustees @ Ferry Street Annex

6/17 7:30 Budget Committee in BOS Meeting Room

6/19 9:00 Town Auction at Highway Facility, 2 Constitution Drive

6/21 6:30 School Board in BOS Meeting Room

6/21 7:30 Conservation Commission in CD Meeting Room

6/22 7:00 Board of Selectmen in BOS Meeting Room

6/23 7:00 Planning Board in CD Meeting Room

6/24 7:30 ZBA in CD Meeting Room

6/29 7:30 BOS Attorney-Client in BOS Meeting Room

6. OLD BUSINESS

Public Hearing/Acceptance of Police Department Grants

Chairman Cole opened the Public Hearing on the acceptance of two grants for the Police Department--\$3,150 for participation in *Enforcing Underage Drinking Laws* and \$468 for participation in *Hudson Corridor DWI Saturation Patrols* at 7:10 p.m. and asked if anyone wished to speak on it. There was no response, so he closed the hearing.

Motion by Selectman Maddox, seconded by Selectman Stewart, to accept the two grants on behalf of HPD carried 5-0.

7. NEW BUSINESS

A. Presentation of Hazardous Mitigation Plan

Chairman Cole recognized Fire Chief Shawn Murray, who said Camille Pattison from NRPC was unable to be present so he would present the final draft of Hudson's Hazardous Mitigation Plan, which has been developed over a couple of years by Town staff in conjunction with NRPC. The document looks at potential hazards, and is a tool for emergency management planning. It lists a number of critical facilities in Town and recommends initiatives for implementation. The plan also allows the Town to apply for Federal grants relative to hazardous mitigation.

Selectman Maddox checked the State's web site and they are still dealing with natural disasters, like floods. Chief Murray said extra time and effort have been put into this plan to identify such things as water supplies, given the current state of world terrorism. Selectman Maddox asked how a person could gain access to the document. Chief Murray said the plan is a public document, in the library and other Town facilities, but that plan won't identify the specific address or location of critical facilities. As with any public document, a member of the public can visit Fire Administration and request to see the plan that has the address information and/or maps. Selectman Maddox understands the state of the world, but there should only be one plan that any resident could access, not two different ones. Hudson residents should not be put through a two-step process.

Chairman Cole said he met with Chief Murray and Camille Pattison last fall and, as BOS Chairman/Chief Emergency Preparedness Officer of the Town, he made the decision that specific locations and addresses would not be called out. It's not a question of right to know, but a *need* to know. The average citizen wouldn't be interested in a GPS or the exact coordinates of a specific location. FEMA and the other agencies that deal in this will have a plan with all the information. The report is open to the public, but the section that denotes key installations was not meant for public consumption; they don't have a need for that information. Chief Murray said there are facilities listed in the document that house people that could be harmed by having their location known, such as displaced families, group homes, etc. Selectman Maddox asked if, under the Freedom of Information Act or Right to Know Law, he could view the document with the critical information just by going to Fire Administration and asking to see it. Chairman Cole said no, there was not a need for the average citizen to know the addresses of critical or sensitive installations. Selectman Maddox believed it was a right and putting citizens through an extra step in having to go to Fire Administration to see a public document was unwarranted. Besides, if someone really wanted that type of information, they probably already have it. Chairman Cole said critical or sensitive information isn't available to the general public. Selectman Maddox asked for a copy of the statute that gives the Chairman of the Board of Selectmen the authority to make a decision. Chief Murray said he'd get a copy of the applicable statute to Selectman Maddox. Selectman Massey said this isn't the world of 20 years ago and he agreed that it's highly inappropriate for certain information to be in the public domain.

Motion by Selectman MacLean, seconded by Selectman Stewart, to adopt the Hudson Hazard Mitigation Plan Resolution for submittal to FEMA carried 4-1, by roll call vote. Selectman Maddox was opposed.

B. Request by Hudson Lions Club to use Lions Hall on June 7 for Alvirne Scholarship Night and to waive the fee

Motion by Selectman Maddox, seconded by Selectman MacLean, to approve the request by Hudson Lions Club to waive the fee for the use of Lions Hall on June 7 to hold an Alvirne Scholarship Night Spaghetti supper.

Selectman Massey asked if the fee covered the cost of the cleanup. Mr. Malizia said it did. Selectman Stewart said this annual event, sponsored by the Lions Club at the request of Alvirne, is to help move graduation along a little faster. The Lions set up, break down and clean up, so there is minimum cost. The original owner was the Lions Club, so they know how to care for the building. Selectman MacLean said they are talking about a school event, not a social event, handled by the Lions Club, so she did not object to waiving the fee.

Vote: Motion carried 5-0.

C. Benson's -- Award from NH Preservation Alliance

Chairman Cole said a letter from the NH Preservation Alliance said, in part, "Congratulations! The New Hampshire Preservation Alliance has selected the stewardship and planning of the former Benson's Wild Animal Park for a 2004 Preservation Achievement Award. As you know, the Alliance is a statewide, nonprofit organization dedicated to the preservation of NH's historic buildings, communities and landscapes through leadership, education and advocacy. For more than 15 years, the Preservation Alliance has recognized projects and people for significant contributions to the preservation of New Hampshire's historic resources. This year's award selection was highly competitive." He then recognized the Chairman of the Benson's Committee, Esther McGraw, and a key committee member from NRPC, Betsy Hahn, who said this award was the result of the involvement by a lot of people. The award was initially for two different categories—one for education and planning and one for restoration and stewardship. The Alliance thought it was such a wonderful effort, it was combined into one award called stewardship and planning. The award was for pursuing the LCHIP grant, which made the HSR's possible for overseeing the stabilization of the buildings, which meant interviewing contractors, hiring a project manager, having a preservation consultant on hand and all of the work done in and around the property. Esther McGraw said a lot of work got done on Saturday, even though it rained. People would go home to change clothes, and then come back. She is looking forward to the next cleanup in September.

(Start Tape 1, Second Side)

It is starting to look good, and you can walk around in there and reminisce about the way it used to be. Betsy said part of the cleanup was the Department of Recreation and Economic Development Trail Grant, which the Town pursued and was awarded \$20,000. The Town's match included volunteer labor and that has been met through the efforts of Tamarack Landscaping, Dunn's Demolition, Tate Paving, Continental Paving, the Highway Department and all of the volunteers. The next step is to get the bridge repaired. When they see what money is left, they will look into laser carved cedar signage so people can find their way around, and it makes a good first impression. It's up to the Board whether or not the Highway Department should haul out the debris from Saturday's cleanup, or if it should be contracted out, because money is available. After the monies have been spent, she will meet with the Town Administrator and Finance Director to compile a packet to forward to the State. The deadline for submission of all the financial paperwork is September 30. Chairman Cole asked if an extension was possible, but Betsy didn't think they would need it. She gave a special thanks to the Horace Greeley Light Artillery Unit out of Amherst, who set off the cannon to start the day and to end the day. They were her chainsaw crew. The general public can't use power tools, but she knew their skills. They uncovered the lake trail and worked by the Old Woman's Shoe. The circuit would never have been completed without them. Chairman Cole thanked everyone, too many to mention individually.

Bridge Repair (Benson's Loop Trail)

Selectman Maddox asked if this would come out of the trails grant. Chairman Cole said it was. Selectman MacLean asked if they shopped around. Betsy said, due to the good price they were given, and the fact that Don had worked with the preservation consultant--who is still on retainer with the Town. They felt that this local resident would do quality work at a price so low there wasn't a requirement for three bids.

Motion by Selectman Massey, seconded by Selectman Stewart, to approve recommended repairs to the Benson's property bridge and to award a contract in the amount of \$2,239.94 to Don's Works of Hudson, NH, as recommended by the Benson's Committee carried unanimously.

D. Anti-Intrusion System (Haselton Barn)

Chairman Cole said this item, brought to the attention of the Benson's Committee by Arron Sturgis, and they felt this project was necessary, given the particular structure. Deputy Chief Chalk, who got the estimate and was instrumental in putting this together, said in order to have an effective alarm system, the barn needs electricity, but the old wiring does not meet current standards. Power is needed for safety reasons, and for an alarm system. He called three electricians, but only one was interested, who suggested putting in a standard 200-amp, 30-circuit panel, to allow for future expansion. The cost between putting in full power and putting in just enough to get by was minimal. PSNH would put a meter on the outside of the barn. The lights would be sealed to prevent dust getting in the fixtures, which might cause a fire. There will be a couple of door lights in the front and the back, a spotlight in the back with a motion activator and a security system would be installed with basic door contacts and a motion detector, which are vermin-proof. It takes something between 45-60 lbs. moving through the building to trip off the system. Horns would be installed outside the building, which would be loud enough to alert the neighbors, if something happened within the building. The motion-detection lighting, hopefully, would discourage people from entering the building. The fixtures would need to be replaced once the building is finished. The alarm system is not monitored; the police will not receive an alarm directly into their system. It has to be called in by a third party. The Town would have to go to an outside vendor to monitor the system and that involves a monthly fee of about \$20, paid a year in

advance, and a business phone line, which would run about \$45 a month. The contractor believes that for the kind of intrusion that might get in there at the present time, the horns would be sufficient. Selectman Stewart would agree to this, as long as Esther McGraw would be able to hear the horns. Selectman Maddox asked what account this would be coming out of. Mr. Malizia said Benson's account for renovations and restoration. Chairman Cole said a couple Town meetings ago, there was a warrant article for \$253,000 which is separate from the \$187,000 capital reserve fund for the purchase of the land. Deputy Chief Chalk said some tree-trimming needed to be done so PSNH has a clear line. Some of the plywood sheeting is not as tight as it should be and the back door could be opened by removing just one bolt, but that is not part of the bid. Selectman Maddox opposed spending money on Benson's until the Town owns the property. The barn is old and drafty, so if there was a strong wind, he envisioned the horns going off. This was an expense that yielded no benefit.

Motion by Selectman Stewart, seconded by Selectman MacLean, to approve the installation of an AntiIntrusion System at the Haselton Barn, and to award a contract in the amount of \$4,950 to Jolt Electric of Hudson, NH, as recommended by the Benson's Committee carried 4-1 by roll call. Selectman Maddox voted in opposition. Chairman Cole will talk with Deputy Chief Chalk tomorrow.

E. Discussion of Proposal to connect Webster Street to Ferry Street

Road Agent Kevin Burns said when he conceived this idea, he discussed it with his then-liaison, Selectman Massey. Derry Street is extremely congested and there is no quick fix. It will be either very expensive or, as in this case, controversial. He gets calls constantly, asking what he is going to do about the traffic on Derry Street. His idea is that Webster Street, which is 30' wide, marked with lines, has street lights and is very straight, but it hasn't been used since the bridges were built in the 60's. Currently, traffic heading south on 3A from Litchfield must take a left turn on Elm Street and then right on Route 102/Derry Street, converging with the traffic on 102, because traffic cannot enter Webster Street in the mornings. At Route 102 and Elm Avenue, traffic is backed up to the high school, and sometimes further, especially in the winter because the plow trucks are caught in that same traffic. His proposal would be to repeal the ordinance that made Webster Street a limited entry. In Hudson, 3A starts at the Litchfield line and used to go to the bridge, but when the bridges were built in the 60's, it was artificially terminated.

His proposal would allow the traffic heading south on 3A to continue on Webster Street, across the bridge and into Nashua. His crew did traffic counts in April, and over a 24-hour period, about 5,000 cars travel southbound on 3A and 11,000 on 102, so by the time they get to Derry Street by Grand Ave, 14,000 cars are trying to squeeze together, with about 45% of them going to Nashua. If they can take 45% of the cars heading south on 3A--or about 2,300 cars a day-- and route them on to 3A/Webster Street, they will get across the bridge and out of Hudson. This won't add more cars on the bridge, it will just get them to Nashua quicker, while reducing the traffic on 102. There isn't a problem with backup on the bridge, except when a train holds up traffic during morning and afternoon commuting hours. Northbound congestion is not as big a problem but if they can reduce southbound traffic, they could adjust the lights to allow northbound traffic more time. Per cycle, that would put a significant dent in the congestion in both directions.

He talked about how the connection on to the bridge would be made, as indicated on his diagram. Two trees would have to be removed and the cul de sac eliminated. Traffic would still be able to turn right on to Webster Street from Ferry Street. The Town Engineer said the project was doable. He did not recommend straightening the road at the juncture of 3A and Webster Street because making it a straightaway would create a speeding problem. He was also proposing building a substantially stronger gate coming down from the 20th Century Plaza/Bank of NH/Abbott Farms condo because that road isn't maintained in the winter. Closing it off was not an option because the Fire Department wants it for a back access to the condo complex and to the mall. He was also proposing stop signs on the connecting streets to Webster Street that don't already have them, which. This project would significant reduce traffic for a small amount of money. He didn't see another bridge being built in Litchfield or north Hudson. The proposed Derry Street widening, which is only for a few hundred feet at another intersection, won't decrease traffic, and the bottlenecks will still remain. He knew that this was going to be a controversial subject, but believed it was worth consideration.

(Start Tape 2, Side A)

Selectman Massey knew the residents of Webster Street were not going to be happy, but this isn't a permanent solution and part of the result of the State scrapping the circumferential highway. With this proposal, the Webster Street residents would be able to get into Nashua much faster, avoiding the 102 traffic. Selectman Stewart asked how wide Wason Road was, another busy collector road, narrower and windier than Webster Street. Mr. Burns said 26'. Selectman Stewart asked, with all of the building being done on Webster Street, if any monies were put into an improvement account. Selectman Maddox said yes, but those funds couldn't be used for this project. Selectman Massey said the money is to be used for mitigating the problem from Elm Avenue to 102, including the lights, but they were voluntary contributions by the developers, who might be willing to consider a redirection of monies. When there was just one bridge, people could make a right turn from Webster Street, which was still 3-A, across the bridge into Nashua.

Selectman Maddox said if Webster Street is still technically 3A, they could tap two accounts. He thanked the Road Agent for thinking outside the box, whether or not the project would be approved. There is a steady flow of traffic going by the Exxon

Station on Derry Street and he wondered what the impact would be to those trying to exit the station in view of the fact that it was so close to Webster Street. Cars will stack up on Webster Street because even though two lanes cross the bridge, there is only one lane for making a right-hand turn. He thought there might be a little more research and counting done before they make a decision on this. Mr. Burns said he observed significant breaks in traffic when he parked where the Webster Street exit would be. If the traffic is reduced on Derry Street, the gaps should be even greater. Selectman Maddox said cars can almost always turn right from Derry on to Ferry, which creates a pretty constant flow. Chairman Cole said it's either waiting for a gap in the traffic to turn right across the bridge, or waiting in traffic in front of the High School to get to the lights. Traveling through Hudson is a game of patience.

Selectman MacLean said if the lights at the intersection were red for a time, that would allow for a gap in traffic to turn right from Webster Street to go across the bridge. This proposal would probably be of interest to a lot of people, not just those on Webster Street. Taxpayer money should be spent to benefit the people of Hudson, to make Hudson a great place to live and the lives of the Town residents easier. The Town might love this idea. Selectman Massey said statistics have proven that all-red lights for several seconds at converging intersection are beneficial to create gaps. Selectman Maddox suggested having large diagrams of the traffic configurations, done to scale for the public to look at. Chairman Cole suggested that Mr. Burns meet with the Town Engineer to effect this.

Motion by Selectman Stewart, seconded by Selectman Maddox, to send this to a public hearing at the Board's meeting on June 22, 2004 carried unanimously.

F. Award of Bid—Data Collection

Town Assessor Jim Michaud said this was for the 2,000 improved residential properties, the first phase of a three-phase project to complete the data collection of 6,000 residential properties. They received two bids in response to the RFP. For the 2002 reval, data collection was started in late 2000. When they've checked properties that have building permits, they found that other things were done without permits. It's a good idea to maintain accurate data. The person he was recommending was very good. About 50 properties a week would be done. NH DRA, as well as his office, would monitor the contract for quality control purposes. The Assessing Department would be responsible for all the data entry, including any changes, and will handle any resulting appointments. The visits to the properties will be primarily on weekends and week nights, which is when most people seem to be home.

Motion by Selectman Maddox, seconded by Selectman Stewart, to award the bid for the data collection of 2,000 residential parcels to Rick Brideau in an amount not to exceed \$30,000 from 5410-265, with all work completed and delivered in final form by April 1, 2005, as recommended by the Assessor and Finance Director carried unanimously.

G. Discretionary Easement Application on Parker Drive, Map 125/Lot 17

Town Assessor Jim Michaud said a discretionary easement preserves open space for property less than 10 acres. About 10 years ago, the Planning Board signed off on these, but the Legislature fine-tuned it and now it's the Board of Selectmen who enters into an agreement with the property owner. The statute calls for a minimum of 10 years and for the Board to set an amount for the entire lot that ranges from current use value to 75% of the full assessment. The easement gives the Town the right to enter the property to make sure that the terms of the deed are followed. The owners have the right to post the property, to allow or not allow people on the property. When he and the property owner went through the application, choices had to be made, which were included in the paperwork he submitted, which the Selectmen could change. The Town has a handful of discretionary easements, one of which is next to this property, an open space lot with wetlands, birds, and flowers, next to Robinson Pond. There is also a discretionary easement for Schoolhouse #9 because it's historical land, and for a ball field that the Hudson Lions Club owns, so a precedent has been set. Selectman Stewart said the application indicated this was a renewal. Mr. Michaud said they are in a discretionary easement program that expires this year, so they are seeking to renew, subject to any new terms. Chairman Cole asked about the terms of the previous contract. Mr. Michaud said before 1994, there wasn't a discretionary easement process, so there wasn't any terms, other than it is assessed at the lowest current use value.

Motion by Selectman Stewart, seconded by Selectman MacLean, to sign the discretionary easement application and discretionary easement deed, as recommended by the Assessor, carried unanimously.

Motion by Selectman Stewart, seconded by Selectman Maddox, for a recess at 8:30 pm carried 5-0. The meeting resumed at 8:40.

(Start of Tape 2, Side A)

H. Request to purchase SCADA Upgrades for Water Utility

Town Engineer Tom Sommers was unable to be present tonight, so Selectman Massey made the presentation. SCADA is Supervisory Control and Data Acquisition, a compilation of hardware and software that controls valves, gates, etc., which came with the system when the Town purchased it and had been maintained by Pennichuck under the Town's agreement with

them. It needs to be upgraded, which is a two-year project. The original amount budgeted was \$31,500 but the current request is for \$35,000 plus \$4,560 for system maintenance. This company has been maintaining the system for Pennichuck for several years. Given the issues relative to security and safety in the environment, the fewer people that know how the system works, where it is located and what it does, the better off the Town is. He is already familiar with all of the aspects of it, and why his bid is so reasonable. This system takes care of the Litchfield wells.

Motion by Selectman Massey, seconded by Selectman Stewart, to approve the agreement with Accurate Instrument Services for the first year upgrade of the Water Utility SCADA system in an amount not to exceed \$35,000 from 5593-411 and \$4,560 from 5592-204 for a one-year maintenance agreement, and to further waive the bid requirements under the provisions of Chapter 98 of the Town Code, as recommended by the Town Engineer and Finance Director.

Selectman Maddox wasn't in favor of one-source contracts. You don't know if you are getting a good price or what else is out in the marketplace that could be better. This company may not have the ability to see the big picture of SCADA systems in general. Selectman MacLean said she liked to shop for the best price, too, and asked if Selectman Massey thought this was a fair price. Selectman Massey said he did, and he had questioned the Town Engineer with some of the same things. There aren't many people who can do this type of work with water systems, and this individual has been working with SCADA systems for a long time and his equipment is new and upgraded. His time estimates are based on the fact that he already knows what needs to be replaced and their functions, where someone else will have to learn everything from scratch. To go out to bid, the Town Engineer would have to write a detailed program spec, which would take considerable time because they would have to write the different functions behind what is seen on the screens. Currently, the hardware culminates in a Town-owned control terminal that is located at Pennichuck. With the new capability, there will be a drop in the Town Engineer's office and, over time, he will have the same capability to interact with the screen as currently exists with the system at Pennichuck. Factoring all of those things in, they could not have gotten a better deal. Town Administrator Malizia said this would allow for commonality between Pennichuck's equipment and Hudson's. Chairman Cole said his concerns about sole sourcing has to do with technical solutions. He was convinced that this individual's ability warrants going with him.

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

I. Request by Town Engineer to form a Water Utility Committee

Selectman Massey said the Town has been extremely fortunate to have the present Town Administrator and former Finance Director, Steve Malizia, who has very ably managed this utility for the past six years. However, the Town is now faced with several issues, not the least of which are major upgrades to the system. That was known at the time the system was purchased and those recommendations were also in the Weston & Sampson Report that was done in 2002. The Town has been able to do all of this without any technical assistance, which speaks volumes to Mr. Malizia's abilities--much of which has gone unrecognized. They are at the point where there should be a Water Utility, much like the Sewer Utility. If the Board authorizes this, two additional steps are needed: advertise and appoint and for the committee to create the bylaws and policy and procedures for the Board of Selectmen to adopt.

Motion by Selectman Massey, seconded by Selectman Stewart, to authorize the Town Engineer to return to the Board of Selectmen's meeting on July 13, 2004, with a proposal for a water utility committee that defines the structure, duties and responsibilities carried unanimously.

J. Robinson Road/West Road/Route 102 Traffic Signal Preemption

Fire Chief Shawn Murray said the signal that was installed last year has an Opticom traffic emitter device, which was a significant asset, but it doesn't have a strobe light on the Robinson Road-West Road lights. When an emergency vehicle activates the signals, it turns the light green and it warns that emergency vehicles are approaching. The Planning Board voted to recommend to the Selectmen to expend \$1,045 to install the strobe light. Selectman Maddox suggested taking money from the Tracy Lane to Robinson Road fund instead of from 102. Mr. Malizia said the Planning Board specified the 102 account. Selectman Maddox said he'd talk to them about it tomorrow night.

Motion by Selectman Maddox, seconded by Selectman Stewart, to authorize the expenditure of \$1,045 from an account to be determined for the purpose of installing an emergency vehicle preemption device on the traffic signals located at the Robinson Road/West Road/Route 102 intersection carried unanimously.

K. Change of Position Title (HFD--Call Administrative and Training Lieutenant to Call Captain

Fire Chief Shawn Murray said this request is to reinstate the position of Call Captain and the associated job description and eliminate the position of Call Administrative and Training Lieutenant, which would reverse the action taken by the Board of Selectmen on July 23, 2002. The position of Call Admin & Training Lt. has never been filled, even though it was offered to a couple of people. At the workshop between the Board and Fire Department, this was discussed at length and the Board felt that the position of Call Captain would better fit the current need. Selectman MacLean thought it was an issue of title change. Chairman Cole said the Board made the change a couple of years ago because they were dealing with a potential personnel

issue within the call force, which did not materialize.

Motion by Selectman Stewart, seconded by Selectman Maddox, to eliminate the position of Call Force Administrative and Training Lieutenant and to replace it with the position of Call Captain and to approve Job Description 7 dated 04/23/04 carried unanimously.

L. Request to donate obsolete Protective Firefighter Clothing to a non-profit group, Helping Our Own.

Fire Chief Shawn Murray said once authorization was obtained to dispose of obsolete equipment, it is cut up and thrown into a dumpster. However, the organization *Helping Our Own* repairs or recycles used, obsolete equipment and donates it to volunteer fire departments, or sometimes to a third world country. This organization will give the Town a release of liability. The equipment won't necessarily be used by someone actually going into a fire, but by a firefighter working on a fire apparatus or directing traffic at a scene. Selectman Stewart noted that *People Magazine* had a good article on this subject. Some departments are really poor and appreciate obsolete donated protective gear.

Motion by Selectman Stewart, seconded by Selectman Maddox, to authorize the Fire Chief to donate obsolete protective clothing (8 firefighter bunker coats and 9 pants, 11 pairs of boots and over 20 pairs of gloves) to the non-profit organization Helping Our Own, a fire service organization that donates surplus and obsolete equipment to volunteer fire departments in need of such equipment carried unanimously.

(Start Tape 3, Side A)

M. Request by Fire Department to purchase two 2004 Chevrolet Tahoes

Fire Chief Shawn Murray said they utilized the State bid process and looked at Chevy Tahoes and Chevy Suburbans for their command vehicles. He and Deputy Chief Rodgers felt that the Tahoe was better suited to their needs.

Motion by Selectman MacLean, seconded by Selectman Stewart, to authorize the Fire Department to enter into a lease purchase agreement with GMAC for two 2004 Chevrolet Tahoes, to be purchased from Hilltop Chevrolet of Somersworth, at a total cost of \$58,100.58, with a payment of \$15,476.33 per year for four years from 5730404 and that delivery and payment will not occur prior to July 1, 2004 carried 5-0.

N. Award of Bid—Hudson Fire Department SCBA's

Fire Chief Shawn Murray said the Fire Department was replacing their SCBA units, as approved by the voters, and was recommending Fire Tech & Safety of New England. Selectman Maddox did not want to spend more money than the \$185,000 the taxpayers approved. Chief Murray said costs have risen since this project was started two years ago, and he does have money in the budget to cover the cost. Selectman MacLean asked if the Chief could get fewer units. Chief Murray said he already did that, having initially requested 44.

Motion by Selectman Massey, seconded by Selectman MacLean, to award the bid for the Self-Contained Breathing Apparatus to Fire Tech & Safety of New England, Inc. in an amount not to exceed \$204,180 for 38 SCBA's, with \$185,000 paid from Article #28, approved on March 9, 2004, and \$19,180 from the FY-04 budget, 5730-399.

Selectman MacLean said the justification for her support of this request was the safety of Town firefighters. Selectman Maddox said he'd vote against this because he believes the bid should have been awarded to the lowest bidder, even if they didn't meet all of the specs. The Fire Department told the voters that the monies in the 399 account would be returned to the general fund because they'd have new SCBA's. He is disappointed that they are buying all the bells and whistles. They should be made to stick to a figure. Selectman Massey said when the Fire Department made their presentations during the budget process, the \$185,000 was an estimate; you don't get the real numbers until you go out to bid. Chairman Cole believed the vote was for the protection of the firefighters, not for the dollar amount. Since that warrant article was drafted, technological changes to the model have been made—and he already scaled back the request by six units. Chief Murray emphasized that there are no bells and whistles; the SCBA's are to protect firefighters while they are doing their job of saving citizens. Selectman Maddox asked, if a \$4 million was approved for a new library, but the bid came in at \$75 million, if the Chairman would vote for that. Chairman Cole said he would consider it, if lives were at risk. Selectman MacLean agreed that the citizens were supporting safety measures, not the cost. Chairman Cole said if this was approved two years ago, they would have gotten 44 units for \$185,000.

Vote: Motion carried 4-1 by roll call vote. Selectman Maddox voted in opposition.

8. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Stewart said the past weekend, the skate park was closed due to vandalism, but the lock was broken and people got into the park. She hoped the parents of the kids who want to use the park will start a watch group so the good kids don't have to suffer because of the actions of the bad ones. Secondly, she said the Road Agent advised that street-sweeping has been completed and now he's going to be involved with paving. Nottingham West's project with included with the Town's, which saved the School District \$20,000.

Selectman Massey said on Memorial Day, the American Legion was holding its annual parade. It is an excellent opportunity to honor the fallen military throughout the years. He hoped for a large turnout. This year's Grand Marshall is Fire Chief Murray.

Selectman Maddox wasn't able to attend the Firefighters' Ball, but heard it was a success. He went on to say that he's asked about this before, how the \$75,000 for Clement Road, which was earmarked for a specific purpose, got into the General Fund. He wondered if other funds were accidentally diverted to the General Fund, and what the proper procedure was for transfers that need to be made. Some of the funds have expiration dates and/or are earmarked for a specific use. Someone could come back at a later date and ask for their money back. They need to find out how the \$75,000 for the Clement Road improvements got into the General Fund—and the procedure for making sure it gets where it is supposed to go. Mr. Malizia said he'd research it and get a memo to the Board.

Selectman Massey said he'd like to understand what audit procedure or paper trail is in place to ensure money is put where it is supposed to go and that any terms are met. Mr. Malizia suggested Selectman Massey could meet with the auditors or he could talk with the Finance Director or the Director of Community Development. Selectman Massey said he'd talk with the Finance Director first. The issue is the procedures that are in place, such as a flagging system, whereby they know when that money is collected and that it is all collected, which could span several years. It could be over a span of years. Chairman Cole asked the Town Administrator to find out how much money was collected for Benson's from Shepherd's Hill.

Continuing, Selectman Maddox said it's getting to the end of the fiscal year and he hoped the department heads know that any large expenditures that are not specifically budgeted should come before the Board before those purchases are made.

Selectman MacLean thanked everyone who helped at Benson's during cleanup day, which was wonderful, even though it was rainy. Esther cracked the whip and Betsy made sure everyone knew what they were supposed to be doing. She even got a Benson's cap. Secondly, the Firefighters' Ball was wonderful. She reminded people about the parade on Monday. She plans to march so she can wave to everyone who comes out to wave flags and honor the great freedom this country has.

Chairman Cole had a great time at the Firefighters' Ball, noting that the Fire Chief put all of the Selectmen at one table, not adhering to the old saying that one grenade can get them all. He thanked the Firefighters Relief Association for reinstating this fine tradition and he looks forward to next year's function. The Chiefs and troops appeared to be enjoying themselves to the fullest. He, too, wanted to thank the volunteers for helping with the Benson's cleanup. He was out there, but didn't do any work, in spite of Esther's valiant efforts. He congratulated Esther, the Benson's Committee and all of the people who helped out.

Akim, the newest addition to the K-9 Corps, will be graduating on June 4 at 10:00 at Bear Brook State Park. Chairman Cole congratulated Akim and Officer Sullivan.

Chairman Cole said at their last meeting, the Board agreed to have an attorney-client session with Atty. Epstein relative to cable access TV. The first off-Tuesday he's available is June 29. The Board agreed to that date, with a starting time of 7:00 p.m.

(Start Tape 3, Second Side)

9. NONPUBLIC SESSION

Motion by Selectman Massey, seconded by Selectman MacLean, to enter Nonpublic Session under 91-A:3 II (a) Dismissal, promotion, compensation, disciplining or investigation of a public employee, unless employee requests the meeting be open; (b) Hiring of a public employee; (c) Matter that would affect adversely the reputation of any person carried 5-0 by roll call vote.

Nonpublic Session was entered into at 9:40 p.m. and was terminated at 10:08. The following motions were made in open session.

Motion by Selectman Stewart, seconded by Selectman Maddox, to promote Call Force Lt. Fred Brough to position of Call Force Captain, effective 5/30/04 @ \$13/hr. and to include established longevity steps IAW Call-1 General Order, carried 5-0.

Motion by Selectman MacLean, seconded by Selectman Stewart, to promote Acting Call Lt. Michele Rudolph to position of Call Lt., effective 5/30/04 at \$12/hr. and to include established EMT and longevity steps IAW Call-1 General Order, carried 5-0.

Motion by Selectman MacLean, seconded by Selectman Stewart, to hire Eric Dubowik as Call Firefighter Trainee, effective 5/30/04 and that he be assigned to Company 3 at a rate of \$5.50 carried 5-0.

Motion by Selectman Maddox, seconded by Selectman MacLean, to hire Jason Gagne as Call Firefighter Trainee, effective 5/30/04, and that he be assigned to Company 3 at a rate of \$5.50 carried 5-0.

10. ADJOURNMENT

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

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