

HUDSON, NH BOARD OF SELECTMEN
Minutes of the January 28, 2003 Meeting

1. **CALL TO ORDER** by Chairman William P. Cole at 7:30 p.m.
2. **PLEDGE OF ALLEGIANCE** led by Selectman Shawn N. Jasper
3. **ATTENDANCE**

Selectmen: William P. Cole, Rhona Charbonneau, Shawn N. Jasper, Ann Seabury and Teresa Stewart

Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Shawn Murray, Assistant Fire Chief; Steve Williams and Ray Guarino from NRPC; Police Chief Richard Gendron; Jana McMillan, Animal Control Officer; Ray Rowell; Howard Dilworth, Jr., Richard Patterson; Coleman Kelly, CATV; Anne, TEL

4. **PUBLIC INPUT**

Richard Patterson, 2 Madison Drive re. HLN Article, "Fire Department Overtime Out of Control or Justified." Mr. Patterson said he had questions and comments after reading the article in the HLN. He was surprised and perturbed by it. (Copy attached to Minutes on file.) The article stated that Chief Carpentino stated that the public did not understand all of the things included in the overtime. Mr. Patterson said he's heard or seen the number of \$½ million bandied about, which is a substantial amount of money. He wondered why the Town has to pay so much overtime. It's either an issue of understaffing or not enough manpower to cover for other manpower that's out or it's a combination of so many job descriptions and types of labor being overtime, as opposed to straight time. He wondered if a person going to EMT-I school was covered by overtime while at school, or if the person covering for the person who is away paid was overtime, or if both individuals are. He asked if that could be answered and, if not, he'd be asking that question on Saturday at Town Meeting. The categories listed in the article for overtime includes earned time, union meetings and conferences, C2F2 fire fighting school and EMT-I school coverage, fire alarm work, EMS training and fire investigation, EMS public education, fire public education, mechanical work, fire inspections, fire prevention, SCBA work, supervisor meetings, rescue systems, small equipment maintenance and call back coverage. He wonders what is *not* paid at overtime and asked if the fire fighters at the station were waiting for a fire to happen. He thought that a Fire Prevention Officer's responsibility was to be out educating the public, working on that aspect of things during his shift, but that's not how the article reads. He didn't understand why people are paid overtime for attending union meetings and wondered why this didn't come out at Town Meeting when this was voted on. He was surprised when he read the long list of items that are paid at overtime rates. He presented the following calculation—32 employees taking a minimum of 3½ weeks of required vacation time off for fire fighters employed for one to six years at \$27 an hour equals \$120,960; 32 x 3.5 divided by 52 is 2.2. Backing out 3½ weeks for each of those 2.2 people, 2½ people could be hired and provide all of the coverage without overtime for mandatory time off. He'd like an answer why all those job descriptions have to be paid at overtime and what Town ordinances and State law makes reference to what is mandated to be paid at overtime. He hoped that the Fire Department would be prepared to answer that question at the deliberative session.

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Selectman Seabury said the Chief has instituted some new programs, which are jacking up the cost. For instance, two fire fighters were at Memorial School for CPR training. She didn't think this was part of their regular work.

Mr. Patterson said he wasn't trying to micro-manage, but he did have some questions after reading the HLN article. He wondered why the Fire Prevention Officer, who clearly is probably trained, couldn't be scheduled to go and do a CPR class, on straight time, for a 7th Grade class. As a business person, that's a question he has because this, in effect, is his money that is being spent. He would come up with a more cost-efficient program. The Chief is quoted in the paper as saying things like their presence at football games, fireworks displays and other events will go away so he can stick his guys on the trucks for emergency calls. Mr. Patterson said he doesn't like the threat of services being cut as motivation to cut back on overtime. As a taxpayer who is footing the bill, he resents having to face a service cutback simply because too many job classifications are overtime-able, or there's not enough people allocated at the right times to provide coverage. He will try to find out as much as he can before Saturday.

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

5. **CONSENT ITEMS**

Selectman Jasper removed Items A 1-6; Selectman Charbonneau removed Item B 2. *Motion to accept the Consent Items, A 7, B 1, C & D, with recommendations as noted by Selectman Stewart, seconded by Selectman Seabury, carried unanimously.*

A. Assessing Items

- 1) **Corrected Supplemental Tax Bill**, (39 Boyd Road)

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Motion by Selectman Stewart, seconded by Selectman Jasper, to rescind the supplemental tax bill dated 12/23/02 and approve the revised supplemental tax bill dated 1/28/03 as recommended by the Assessor carried 5-0.

- 2) **Release of Lien**, (18 Merrimack Street)

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Motion to approve, as recommended by the Assessor, by Selectman Charbonneau, seconded by Selectman Jasper, carried 5-0.

3) **Application for Abatement**, (82 Pelham Road)

- *Motion to grant, as recommended by the Assessor, by Selectman Charbonneau, seconded by selectman Jasper, carried 5-0.*

4) **Rescission of Duplicate Application**, (267 Webster Street)

- *Motion to rescind the duplicate abatement, as recommended by the Assessor, by Selectman Jasper, seconded by Selectman Charbonneau, carried 5-0.*

5) **Applications for Veteran's Credit and Abatement**, (9 Westchester Court; 36 Glasgow Circle)

- *Motion to grant, as recommended by the Assessor, by Selectman Stewart, seconded by Selectman Jasper, carried 5-0.*

6) **Application for Veteran's Disability Exemption and Abatement** (104 Old Derry Road)

- *Motion to grant, as recommended by the Assessor, by Selectman Charbonneau, seconded by Selectman Jasper, carried 5-0.*

7) **Applications for Abatement**, (22 Third Street; 1 Summer Street; 28 Merrimack Street; 7 Rhona Street; 71 Kimball Hill Road; 104 Old Derry Road; 299 Webster Street; 17 A Lenny Lane; 17 Andrews Avenue; 23 A Holly Lane; 21 Mobile Drive; 225 Abbott Farm Lane; 6 Cape Drive), w/recommendation by the Assessor to grant.

B. Licenses and Permits

1) **Request for an Outdoor Gathering Permit** by the Kiwanis Club of Hudson to hold an Ice Fishing Tournament on February 9 from 7:30 a.m. to 1:30 p.m. at the Robinson Pond Boat Launch area. (Signed off on by staff.)

2) **Request for a Hawker/Peddler Permit** by Glenn Smeltzer to sell flowers for the Blushing Rose at Hudson True Value, 114 Derry Road.

- *Motion to approve by Selectman Jasper, seconded by Selectman Stewart, carried 4-1.* Selectman Charbonneau was opposed because there are many tax-paying flower shops in Town, who people should buy from, not from an outside vendor.

C. Acceptance of Minutes

Board of Selectmen's Minutes of January 14, 2003

Motion to accept the Minutes, as presented, and refer to file

D. Committee Announcements

01/31 Last Day to File for Candidacy
02/01 9:00 Town Meeting at Lions Hall
02/03 7:00 Friends of Hudson's Natural Resources in CD Meeting Room
02/05 9:00 a.m. Highway Safety Committee in CD Meeting Room
02/05 7:00 Planning Board Workshop in CD Meeting Room
02/08 School District Meeting at Lions Hall
02/10 6:30 School Board in BOS Meeting Room
02/11 7:30 BOS in BOS Meeting Room
02/12 5:15 Benson's Committee in BOS Meeting Room
02/12 7:00 Planning Board in CD Meeting Room
02/13 6:30 Recreation Committee @ Rec Center
02/13 7:00 Sewer Utility in BOS Meeting Room
02/13 7:30 ZBA in CD Meeting Room
02/17 Presidents' Day—Town Hall Closed
02/18 7:30 Library Trustees
02/20 7:30 Budget Committee in CD Meeting Room
02/21 Retirement Party
02/24 7:30 Conservation Commission in CD Meeting Room
02/25 7:30 BOS in BOS Meeting Room
02/26 7:00 Planning Board in CD Meeting Room
02/27 7:30 ZBA in CD Meeting Room
03/05 5:15 Benson's Committee in BOS Meeting Room
03/05 7:00 Planning Board Workshop in CD Meeting Room
03/10 7:30 BOS in BOS Meeting Room
03/11 7:00 a.m. to 8:00 p.m. Voting at Lions Hall

7. **OLD BUSINESS**

Memorandum of Understanding re Water District

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to sign the Memorandum of Understanding.

Selectman Jasper opposed the motion, saying he wasn't comfortable with the language, even though he supports the undertaking. Hudson doesn't really fall within the discussions. If something comes up, there are provisos whereby the Town will be able to join. Hudson doesn't need a place at the table because they don't have the same concerns as the other communities. Of particular concern is the part that says the governing body shall be actively involved in the discussion of any proposed legislation and encourage the active involvement with any elected representatives of the citizens of that municipality necessary or related to the formation of the municipal charter and its subsequent operation of that entity. Since they don't really know what that is going to be or how it will affect the Town, he didn't want to commit to telling their legislators that the Town supports this legislation. They can cheer on the other towns from the sidelines.

Mr. Sharon said there have been many discussions about the Town's role. On two occasions, he has spoken at Nashua City Hall, relaying the Town's tacit position that Hudson is unique in a lot of ways, including the fact that it's customer base is larger than Merrimack, Amherst, Derry, Epping, Hooksett, Hollis, Litchfield, Londonderry and Milford combined. Hudson is a major potential player in regional water issues. If Hudson stays on the sidelines, it would be like watching a cross-country race. You'd see them coming, then watch them go by. They would miss the opportunity to shape the destiny of what the community should be. There are things that could happen that could negatively impact Hudson in terms of service contracts. The Memorandum of Understanding indicates Hudson's intention to participate to the extent Hudson wants to shape that charter. Signing the MOU keeps the Town sufficiently in the game as self-protection.

Selectman Seabury agreed with the Town Administrator. They should have a seat on that board so they will be fully aware of what is happening. The Town has a big responsibility to the taxpayers, so they should be a part of the procedure. She volunteered to serve as the representative from Hudson—after her hip replacement. Selectman Charbonneau agreed that the Town should be at the table because this is a regional effort. Hudson shouldn't cut themselves off from learning what the obligations of the towns will be. Mr. Sharon said the MOU simply indicates the Town will participate actively in the development of the charter (remarks not discernable). Chairman Cole said there are no legal or financial ramifications by signing this document. The first time he saw the agreement, he had some of the same concerns as Selectman Jasper, but in further study, he found it to be a benign and harmless document right now. They should be at the table when this is forming. The future is at stake. If for some reason, they don't like the way the game is going, they can leave.

(Start Tape 1, Second Side)

He said he made a note to himself who the Board's rep was going to be. Selectman Jasper said he is troubled about the purpose, that the intent of all signatories to this Memorandum to come to an agreement concerning the terms, conditions and operating provisions of a joint agreement or municipal charter that will govern the creation and the bylaws of a new municipal corporation or water district to be formed under RSA 53 A, whose purpose shall be to purchase, or otherwise acquire, and thereafter, own, operate, maintain and develop as necessary to meet the interest of those municipalities, etc. He didn't think they had any intention of being part of the effort to buy Pennichuck. That's what they are signing on to. The Town's interest is in supplying distribution only. Mr. Sharon said the purpose of the MOU is to write a charter, period. It also says that once the charter is adopted, any signatory to the memorandum can walk. The attorneys have recommending signing it; he recommends signing it; NRPC has recommended signing it. Chairman Cole agreed with Selectman Jasper in that he didn't think anyone has any intent of spending a penny to buy the water company, but Pennichuck currently provides a management function for the water company and that management capability is part of what may be acquired in the future, so the Town does have a vested interest with regard to its ability to provide that service.

Vote: Motion carried 4-1. Selectman Jasper was opposed.

8. **NEW BUSINESS**

Presentation of Traffic Intersection Study by Steve Williams, Assistant Director/MPO Coordinator of NRPC

Chairman Cole recognized Steve Williams from NRPC, who said he was asked to provide a report to the Board of Selectmen on the Hudson-Litchfield Traffic Study, the purpose of which was to look at the traffic effects that are going to take place in both towns, due to the development of the Circumferential Highway. They've been looking at the effect of that development on about 30 intersections in Hudson and about 15 in Litchfield by doing traffic counts during peak periods and estimating how well those intersections were operating. They've also done some 20-year traffic forecasts when the Circumferential is finally developed, and then they analyzed whether those intersections were going to operate efficiently or if improvements were needed. Of the 20 intersections they studied, they identified eight that required improvement to handle the traffic that was expected from the Circumferential Highway north partial-build: 102/Robinson Road/West Road; 111 and Chase Street, by Town Hall; Central Street and Library Street; 3A and Central Street; 3A and Country Road, the south intersection of those two streets; 3A and Wason Road, at the intersection and improvements to the intersection that were proposed as part of the traffic study that was undertaken by VHB as a result of the proposals to develop the Stop and Shop Market. They concluded that VHB's recommendations were consistent with the Town's needs for the 20-year future with the Circumferential Highway. The intersection of Belknap Road and County Road also needs improvement. They looked at two alternatives. One, a signalized intersection. The other, due to the fact that a signal in a residential neighborhood has some serious impacts on the residences around the intersection, they looked at a small roundabout, which would be less intrusive. Finally, they looked at the intersection of 111, Greeley Street and Kimball Hill Road. The other 12 intersections did not require any improvements.

Mr. Williams said they gave a presentation to the Planning Board on December 11, 2002, at which time they were asked to make the Selectmen aware of the study and the recommendations. They are going back to the Planning Board on February 5 to receive any final comments, which they will convey to the consultant, get the final comments from Litchfield and wrap up the study. Copies of the study will be presented to both

towns and then they will work with Town staff to implement the provisions of the traffic study, as appropriate. They are currently seeking applications for new federally funded highway projects. The application period closes on February 28 on all of the improvements that are described in the study will be eligible for that type of grant funding. If the Town would like to work on one of those applications, NRPC will provide assistance. They have had discussions with the Community Development Director and his staff regarding those applications.

Selectman Seabury said when this presentation was made to the Planning Board, concern was expressed by the Planning Board because Town roads are under the jurisdiction of the Board of Selectmen. When NRPC comes back to the Planning Board, she expects the Planning Board will indicate what intersections they want done. This is primarily to be able to collect the impact fees with businesses that come along. This will give them a baseline for the collection of those fees. Mr. Williams said the intersection improvement were recommendations. Incorporating them into the Town's CAP plan might be one alternative. Incorporating them into the transportation section of the Town's Master Plan might be another. This study is made available so the Town would be aware of the traffic changes that were going to be generated by the Circumferential Highway and be prepared to deal with them, as appropriate. As changes and developments take place in Town, developer impact fees or CAP fees could be sought for some of the improvements. The Town could also, in the process of other improvements taking place on the roadways, and particularly the DOT roadways, request the DOT implement some of them because many are on State highways in Town. Selectman Charbonneau asked what the cost percentage was. Mr. Williams said 80% federal and 20% local.

Chairman Cole thanked Mr. Williams, asking if the Town could put a copy of the tape into a time capsule with his prediction that the highway would be finished in 20 years. Mr. Williams said they have the faint hope that it might be done sooner than that. The supplemental environmental impact statement is due to be released in late spring and a public meeting will be held at that time. In that 10-year plan, full funding for the highway is showing up over the course of a period, starting in 2008. The DOT is actually starting to show dollars for it.

9. OTHER BUSINESS / REMARKS

A. Fire Department Overtime—HLN Article 1/24/03

Selectman Jasper said he was very concerned about the article he saw in the HLN. The deliberative session is on Saturday and there are some answers the Board should seek prior to then. In reading the article, although no one is being quoted, one is left with the impression that the information came from official Town sources. He thinks they need to have prepared either support for the contentions or statements ready that shows that the article was not correct. Under union contract guidelines, the Fire Department is required to provide overtime for earned time, union meetings and conferences, so they ought to have supporting or refuting documentation for those. C2F2 fire fighting School and EMT-I school coverage are managerial decisions, i.e., when to cover or not cover. If he is wrong, it needs to be pointed out where in the contract it says they have to have man-per-man coverage. The article also states, "Town ordinances and State law requires overtime for fire alarm work, EMS training and fire investigation." That statement ought to be either proved or shown to be a mistake on the writer of the article. He is concerned that programs have been developed without the Board's knowledge. The article says, "Overtime includes public education, fire public education." He's not aware of any of those overtime programs and didn't think any of the other Board members were, either. He wasn't aware of any fire inspections being done on overtime. When it comes to mechanical work or SCBA work, they knew there was some of that, but he thinks there was a change in how that was being done. The Board needs to educate themselves to find out how much is and what is not being done on shift and, if not, why not. He is concerned when the Fire Chief says, "When the people complain that services are being cut, I'll tell them to go see the Board of Selectmen." He's concerned when a department head makes a statement like that. If he didn't say that, he should be called on to correct it. If all of these programs have been added that the Board of Selectmen didn't know about, it's not fair to say it's the Board of Selectmen's fault. The townspeople gave the Chief a budget and the issue is where things are falling within the budget. There are some things that need to be addressed by Saturday by Fire Administration. They should all be upset about that quote.

Selectman Seabury said the job should be delegated to someone to make sure the Chief is aware of it. Chairman Cole said he'd be talking to the Chief. Mr. Sharon said they are all uncomfortable with the overtime, but some things are being taken out of context. When the Chief had a laundry list of programs that generate overtime, he's not saying the entire width and breadth of the program is all overtime. He's saying that in some instances, that's part of what generated overtime. He was particularly struck with the number that has been created and pasted on some wall that the Fire Department is spending \$1/2 million in overtime. He believes that was a statement made by Selectman Jasper, i.e., that if the Fire Department keeps generating overtime at \$50,000 a week, at 52 weeks, that's \$1/2 million. The overtime this week is \$4,200. Selectman Jasper said before he raised this issue, it was running on average of \$10,000 a week and, as a result of his bringing it up, that number has gone down. However, the Chief's request to the Board and the Budget Committee was \$425,000 for 32 people and that's in the ballpark of \$1/2 million.

Chairman Cole said the overtime is a daunting challenge. The Chief may have said all of those things; they'd find that out. The Chief is a big boy, who will undoubtedly respond, not only to Mr. Patterson's concerns, but those of other citizens. The overtime was running at the \$10,000 level, but this week it's down, which he noticed when he signed the payroll. There are some things that can't be implemented, as the Board knows, since they did the contract negotiations. That's a fact of life. The next time, they go with a fresh slate and, hopefully, they can make some changes that will mitigate where they are now. It's a multi-faceted monster. The Board is aware of it and is frustrated by it. The Chief is frustrated by it.

Selectman Jasper said there was something he wanted to try to correct. The fire fighters' contract does not speak to the issues of what an overtime job is because they are specifically management rights. None of the things in the contract that affect overtime were changed from the last contract. There is nothing in the contract that mandates overtime or for the Town to cover every employee who is out for any reason. When there were six on shift, they dropped back to five. Now that there is eight on shift, the Town has chosen not to drop back at all. The Town managers, through the Fire Chief, have chosen to have eight people on shift at all times. That has nothing to do with the contract; it's purely a management issue. The factor that has come into play is the manning of two stations. The Chief feels five

and three is appropriate.

(Start Tape 2, Side A)

Engines should not be sent out with fewer than three full-time personnel. However, as there are two engines at Central, he suggested that they could save on overtime by having an ambulance crew at Burns Hill. Ambulance crews are two. They could send an ambulance out of Burns Hill with two and an engine with a crew of three out of Central, instead of sending the engine out of Burns Hill and the ambulance out of Central. If the procedure is swapped, you can save one person, but the Chief has chosen not to do that. Chairman Cole said, however, if coverage is provided, the rates are in the contract.

Selectman Jasper said statements have been made to the Board that everyone knew the cost associated with manning Burns Hill. He has attempted to ferret that out in conversations with Paul, and three things have surfaced. One was a memo of September 14, 1999, addressed to Chairman Lorraine Madison and cc'd to the Town Administrator, was stamped confidential. The Board never received it. The timing of the memo is curious because they're not doing budgets in September. Then there are the Minutes of the last two years' Town Meeting. Nothing in them gives any indication of any additional costs associated with manning Burns Hill. They talked about having three people there to respond, but that's as far as it goes. He resents hearing "everybody knew" and would like someone who feels that "everyone knew" to come up with the documentation that anyone ever said they were going to cover man-for-man for all 18 people on shift and this is going to cost a ton of money. He didn't know if anyone else remembers hearing anything, but he's tired of being told that he was told.

Selectman Seabury asked if he was looking for the cost of something. Selectman Jasper said no, it's that he and the Budget Committee were told that everyone, i.e., all the elected officials and the people at Town Meeting, that the cost of manning the second station was going to be extremely high. He has not been able to find anything or anyone who remembers being told that, so it's inappropriate to keep saying "everyone knew" when the written record doesn't back that up. The only thing that does say they would be manning one-for-one was a memo that went only to the former Board Chairman and Paul. Selectman Seabury asked what the memo said. Selectman Jasper said the memo was in 1999, before the Board had ever taken a vote to man Burns Hill station. The memo stated that if we go to eight per shift and man Burns Hill, we would have to cover on a man-per-man basis. That memo never went to the other four Board members.

Selectman Charbonneau said she would automatically know that there would be a cost to man another station. Selectman Seabury said the only cost they saw was to hire the fire fighters. Mr. Sharon said the Chief needs to indicate what he meant. He takes the Chief's remarks to mean that people knew it was going to cost a lot of money, not that people knew it was going to cost a specific amount. Selectman Jasper said he heard the Chief say that the Board knew what the related costs were.

Chairman Cole said the Chief probably had a reasonable expectation that when it was submitted to the former Chairman that it would work its way down to the rest of the Board. Obviously, that didn't happen. Selectman Jasper said it was written as a confidential memo to the Chairman. Chairman Cole said he's sent confidential memos to the Board on many occasions that he's received from department heads.

B. Legal Opinion on Library Articles re. Fund Balance

Selectman Stewart asked the Town Administrator if he received a legal opinion yet on the two warrant articles regarding fund balances for the Library, which they need for Saturday. Mr. Sharon said the opinion was to be written this afternoon. He didn't have it yet, but would have it by Saturday.

C. Deliberative Session

Selectman Charbonneau strongly urged the voters to attend the deliberative session on Saturday. It's their responsibility to attend and speak out on the issues that concern them, such as keeping the tax rate down. She hoped that more than 30, 40 people would attend.

D. Quit Claim Deed from the State for Benson's

Chairman Cole said they received a draft Quit Claim Deed from the State with regard to the transfer of the Benson's property. This is not "the" deed, however, so it will not be forwarded to the attorney. He hasn't had a chance to read it, but it will be distributed to the Board tomorrow. He anticipates getting the actual deed for the Board's review within a week and a half. Selectman Seabury asked if people could cross-country ski on Benson's Loop Trail. Mr. Sharon said the State has delegated control of the property to the Town. (Talking over each other.) Selectman Jasper suggested sending the draft to the attorneys for comments before there is a final deed. Chairman Cole said the deed wouldn't be final until it was signed. The document was submitted as informational, in response to the Town's endless pleas to the State to get this out of the AG's Office. Once he and the other Selectmen read it, he'll be happy to pass any concerns anyone has on to Commissioner Murray.

E. Public / Nonpublic Session

Selectman Stewart moved to enter Nonpublic Session, which was seconded by Selectman Charbonneau. However, Selectman Jasper felt that the Glen Drive sewer pump issue was not appropriate for that venue, saying that the details have already been worked out. All the nonpublic type of issues have long since been resolved. Unless there is something new, this should be done in public. Mr. Sharon said it falls under the category of purchase of real estate, but Selectman Jasper makes a good point. It has proceeded to the point of its finality. Chairman Cole asked if the Board was prepared to take action this evening on this item. Selectman Jasper said there wasn't anything in his packet on it. Mr. Sharon said there was a letter from Tom Sommers to Jay Hodes in the packet, suggesting that the loop be closed on this. He said Selectman Jasper had been very active in all of this, so far. It's a necessary purchase to finish this project. They are at the

point where an agreement was reached with the landowner. Selectman Jasper didn't think there was anything that qualifies this for nonpublic, even with real estate statute; they are beyond negotiations.

Continuing, he didn't understand how the Town Administrator's position qualified for nonpublic, either. There are no personnel issues, and they aren't hiring someone. Selectman Seabury said they were thinking about appointing an interim. Chairman Cole said they are starting to cross over into why they should be in nonpublic session. Selectman Jasper said he can't vote on what he is going into nonpublic on unless he knows why. Chairman Cole said he can't say specifically what will happen because it will be up to the Board to decide. Selectman Jasper said the proper way to do it is to have a discussion and, if they get to the point where somebody says something that qualifies, they will go into nonpublic. They can't go in and hope to get to something eventually that qualifies.

Selectmen Stewart and Charbonneau withdrew their motion and second.

E. Glen Drive Sewer Pump Station

Selectman Jasper said he didn't have anything in front of him on this issue, so he couldn't make a motion. He isn't the one who put this on the agenda. Chairman Cole said if the Town is ready to do something, they should be able to make a motion to move them off the dime. Selectman Seabury moved to follow the recommendation of Mr. Sommers, the interim engineer, to proceed forward. Chairman Cole didn't know if that motion was appropriate. Selectman Seabury withdrew her motion. Chairman Cole thought a brief recess so Selectman Jasper and Mr. Sharon could work out the details of the motion might be in order.

Motion by Selectman Stewart, seconded by Selectman Jasper, for a recess at 8:43 p.m. carried 5-0.

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The meeting reconvened at 8:53 p.m.

Motion by Selectman Jasper, seconded by Selectman Stewart, to authorize Selectman Jasper to work with Tom Sommers to close on the property which will be used for the Glen Drive pump station, in accordance with previously agreed to terms and conditions and that a document for the Board of Selectmen's signature will be presented at the next regular meeting (Feb. 11) carried 5-0.

11. NONPUBLIC SESSION

Motion to enter Nonpublic Session under RSA 91-A:3 II (a) Personnel issues; (b) Hiring of a public employee; (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting by Selectman Charbonneau, seconded by Selectman Stewart, at 8:54 p.m. carried 5-0 by roll call vote.

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Nonpublic Session was terminated at 9:55 p.m.

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

Open Session motions:

Motion to hire Jason M. Ricard as Dispatcher in the Fire Department, effective February 2, 2003 at \$12.72 per hour, in accordance with the IAFF Local 3154 collective bargaining unit by Selectman Charbonneau, seconded by Selectman Stewart, carried 5-0.

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Motion to hire Tom Sommers as Town Engineer for 35 hours per week at an annual salary of \$54,962, effective May 12, 2003, in accordance with the Hudson Supervisors' collective bargaining agreement by Selectman Stewart, seconded by Selectman Charbonneau, carried 5-0.

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Selectman Jasper said he wanted the record to show that he did not participate in all of the Nonpublic Session, as he did not feel that a portion of it qualified for nonpublic, adding that that subject did not have anything to do with the Fire Department.

12. ADJOURNMENT

Motion to adjourn at 9:59 p.m. by Selectman Stewart, seconded by Selectman Charbonneau, carried 5-0.

Recorded and Transcribed by Priscilla Boisvert
Executive Assistant to the Board of Selectmen

HUDSON BOARD OF SELECTMEN

William P. Cole, Chairman

Rhona Charbonneau

Shawn N. Jasper

Ann Seabury

Teresa Stewart