

HUDSON, NH BOARD OF SELECTMEN
Minutes of the October 22, 2002 Meeting

7:00- 7:30 Attorney Client Session.

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

Selectmen: William P. Cole, Rhona Charbonneau, Shawn N. Jasper & Ann Seabury. (Terry Stewart was on vacation.)

Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Sean T. Sullivan, Director of Community Development; From the Fire Department—Frank Carpentino, Chief; Shawn Murray, Assistant Chief; Charlie Chalk, Fire Marshal; Capt. Neal Carter; Acting Lt. Mickey Rudolph; Lt. Dave Morin (w/son, Cory); Helen Cheyne, Secretary; Fire Fighters Steve Benton, Jason Sliver, Jim Paquette, Tom Sullivan, Jason Fritz, Dave Brideau and Alan Dube; Explorers Jason Gagne and Jason Ricard; Curt Laffin; Ray Rowell; John Beike, Cable TV; Howard Dilworth, Jr., Coleman Kelly, Cable TV; Anne Lundregan, TEL; Matt O'Brien, SUN

4. **PUBLIC INPUT**

Recognition of Fire Fighters Tom Sullivan, Jim Paquette and Jason Sliver, who completed Paramedic Course

Chairman Cole said the Board wanted to recognize the achievements of Fire Fighters Tom Sullivan, James Paquette and Jason Sliver. He read and then presented Certificates of Recognition to them for successfully completing the 12-month St. Joseph Hospital Paramedic Program, offering the Board's congratulations. Fire Fighter Sullivan, on behalf of Fire Fighters Sliver and Paquette, thanked Chief Carpentino and the Board of Selectmen for allowing them to attend the Paramedic Program.

Chairman Cole asked if anyone in the audience wished to address the Board.

Representative Lars Christiansen, District 66, 1 Stonewood Lane, talked about the disappearing political signs in Town that they had worked hard to put out--signs for Charlie Bass, John Coughlin and Jean Guy Bergeron, etc., on Routes 111 and 102. Signs that were 15' or 20' off of the hardtop have been taken off lawns, even when they were given permission by the property owners. He went to the Highway Department and was told that Kevin Burns directed his men to take down the signs. Mr. Christiansen said no one is supposed to touch the signs without notifying the candidate, who then has 24 hours to remove the material. He hoped something could be done to rectify this situation.

Selectman Charbonneau said the signs because are in the right of way and the Town can do that. She has lost signs that way, too, and has told people who put up signs for her not to put them in the right of way because they will disappear. Mr. Christiansen said Windham and Londonderry look like completely different areas because of the signs. Selectman Charbonneau said the ones in Londonderry are down now.

Selectman Jasper said in areas where the Town does not have a deed, they don't have the right to remove signs, especially signs in front of houses. They shouldn't be placed in the right of way, but the Town doesn't control 3A, 102 and 111 and they shouldn't be taking down signs in the State right of way. In the past, he has called when he has seen signs that were in the State right of way and the State removed them. Moreover, he was disturbed to hear that the signs were thrown away, and that's totally improper, particularly where there were some concerns whether or not they were actually in the right of way or on somebody's lawn and the candidate wasn't notified in advance. The law needs some work, but reasonable people can disagree reasonably over the intent. Mr. Alukonis has a piece of property along 111 and signs disappeared from there, so the Town may be over-zealous.

Chairman Cole asked Mr. Christiansen if he knows for sure that the DPW was removing the signs. Mr. Christiansen said he went to the Highway Department to talk with Kevin Burns, but spoke to someone else who worked there, who had participated. This individual said Kevin directed them to remove the signs. When Mr. Christiansen asked to see the signs, this person said the signs were trashed. Mr. Christiansen said the Charlie Bass signs were 4 x 8, double-faced signs that cost at least \$80 each. The Highway Department had no right to do that. The candidate must be given a 24-hour notice before removal.

Mr. Sharon did not think that any signs were taken from outside the right of way. He believes Kevin Burns knows where the rights of way are and Code Enforcement was also involved. He said signs, posts or rocks cannot obstruct the public right of way where they could be a hazard, and political signs are no different if they are in the right of way. He fully supported the Code Enforcement and Highway people for getting them out. There were several calls, complaining about them. He thinks the same thing is happening in other towns. He would be very surprised to learn that they removed signs on private property.

Rocky Desilets, 129 Ferry Street, said signs were taken from his property. He maintains the walkway that goes past his property so kids can use it when they walk back and forth to school. Mr. Sharon said he would make sure Kevin Burns contacts him tomorrow to go over his situation.

Chairman Cole asked what the statute said about notifying a candidate or the candidate's office. Mr. Christiansen said the statute reads that before a law enforcement officer removes any advertisement, he shall notify the candidate that it is improper and allow the candidate 24 hours to remove the advertisement himself. Chairman Cole echoed the Town Administrator's course of action to follow to make sure the Town is in compliance with the law and the people of the Town of Hudson, and notify the campaign office that the signs have been taken down by the DPW and,

subsequent to tonight, the signs can be picked up at the DPW, which will be saved until the election.

There being no further speakers, the Chairman closed Public Input.

5. CONSENT ITEMS

Selectman Jasper removed items A, B and C from the consent agenda.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to accept the Consent Items, C and D, carried unanimously.

A. Assessing Items

- 1) **Veteran's Tax Credit Application** (3 Wagner Way, Map 024/Lot 54)

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Motion by Selectman Charbonneau, seconded by Selectman Jasper, to grant, as recommended by the Assessor, carried 4-0.

- 2) **Current Use Application** (17 Barretts Hill Road, Map 031/Lot 55)

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Motion by Selectman Jasper, seconded by Selectman Charbonneau, to grant Current Use status for the property owners at 17 Barretts Hill Road, Map 031/Lot 55, as recommended by the Assessor, carried 4-0.

B. Sewer Utility Items

- 1) **Applications for Abatement, Ref. No. S-03-03** (S-UTL-03-05, 5 Nevens Street, Map/Lot 53/32 and S-UTL-03-06, 31 Cross Street, Map/Lot 48/12)

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Motion by Selectman Charbonneau, seconded by Selectman Jasper, to grant, as recommended by the Sewer Utility Committee, carried 4-0.

- 2) **Application for Waiver from Sewer Connection, Ref. No. S-03-04** (ENF-03-01, 35 Bush Hill Rd)

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Motion by Selectman Jasper, seconded by Selectman Charbonneau, to grant, as recommended by the Sewer Utility Committee, carried 4-0.

C. Licenses and Permits

License Application to purchase Scrap Metals by Granite State Salvage Co., Inc.

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Motion by Selectman Charbonneau, seconded by Selectman Jasper, to grant, as recommended by the Chief of Police, carried 4-0.

D. Acceptance of Minutes

Minutes of the Board of Selectmen's Meeting of October 8, 2002

E. Committee Announcements

- 10/23 7:00 Planning Board in CD Meeting Room
- 10/24 7:30 ZBA in CD Meeting Room
- 10/26 Regional Roundtable
- 10/27 Daylight Savings Ends
- 10/28 6:30 School Board in BOS Meeting Room
- 10/30 Emergency Management Drill
- 10/30 Law Lecture Series
- 10/30 5:00 School Board in BOS Meeting Room
- 10/31 6:00 – 8:00 p.m. Trick or Treat
- 11/01 7:00 Dept. Heads' Budget Presentations, BOS Meeting Room
- 11/02 9:00 a.m. Dept. Heads' Budget Presentations, BOS Meeting Room
- 11/04 6:30 School Board, BOS Meeting Room
- 11/04 7:00 Friends of Hudson's Natural Resources, CD Meeting Room
- 11/06 7:00 Planning Board Workshop in CD Meeting Room
- 11/06 7:30 Joint BOS/BGT/SAU at the SAU
- 11/11 Veteran's Day Holiday—Town Hall Closed
- 11/11 First Day to accept Zoning Petitions
- 11/12 BOS in BOS Meeting Room
- 11/13 4:30 Benson's Committee in BOS Meeting Room
- 11/13 7:00 Planning Board in CD Meeting Room
- 11/14 6:30 Recreation Committee at Rec Center
- 11/14 7:00 Sewer Utility in BOS Meeting Room
- 11/18 7:30 Library Trustees at Annex
- 11/18 7:30 Conservation Commission in CD Meeting Room
- 11/19 7:00 Budget Committee in CD Meeting Room
- 11/20-22 NHMA Conference at Center of NH, Manchester
- 11/21 7:30 ZBA in CD Meeting Room

11/25 6:30 School Board in BOS Meeting Room
 11/26 7:30 BOS in BOS Meeting Room
 11/28-29 Thanksgiving Holiday—Town Hall Closed
 11/30 9:00 a.m. Budget Committee in CD Meeting Room

6. OLD BUSINESS

A. Hudson United Soccer (Advertising Signs)

Chairman Cole recognized the Director of Community Development and asked if the President of Hudson United Soccer Club was present. Director Sean T. Sullivan said Mr. Juliano was not present. Mr. Sullivan said at the Board's last meeting, he was asked to meet with Mr. Juliano, which he did, regarding a proposal for signage at the proposed soccer location, adjacent to the Hills Garrison School. Mr. Juliano advised him that Hudson United Soccer wants to install a 8' x 10' practice kick board, with signs painted on it. Having reviewed that, Mr. Sullivan determined that the kick board is not a sign, but an ancillary piece of practice equipment. Secondly, up to 50 3' x 6' temporary "sandwich" signs are proposed to be located next to each field. His understanding is that there is a 15' safety zone and then, after that, it becomes an open area and the signs would be placed in that location at each field. This is a way to raise funds for the youth activity. Zoning Ordinance Article XII, § 334-61, does not permit 50 temporary signs anywhere in the Town of Hudson, so that proposal will not conform to the Zoning Ordinance, and a variance from the ZBA would need to be sought by the proponent.

Selectman Jasper asked if this information was relayed to Mr. Juliano. Mr. Sullivan said not yet because he was working on it as recently as today, but he plans on speaking with him in the morning. Selectman Jasper wanted to make sure Mr. Juliano gets a hard copy of Mr. Sullivan's memo.

Chairman Cole didn't think a motion was necessary, but the Board was directing Mr. Sullivan to relay to Mr. Juliano and his group this information and course of action—and the ball is in their court.

B. HLN/Cable TV Survey

Chairman Cole recognized Coleman Kelly and John Beike of the Hudson Cable Committee, for their Powerpoint presentation on the results of a Cable TV survey that was conducted this summer in the HLN.

1. Which Town committee or boards would you like to see on the cable Channel?
Selectmen, 90%; School Board, 80%; Planning, 78%; Budget, 72%; Zoning, 70%; Other/None, 10%.
2. Would you like to see more community events on Channel 20, 21, 22?
Candidates' Night, 78%; Public Events, 70%; Elections and Parades, each 55%; Old Home Days, 43%; Other/No Events, 14%.
3. Should HCTV continue the replay of Litchfield tapes without charge?
No, 82%; Yes, 18%.
4. What is the viewing age group in your household?
56+, 43%; 46-55, 28%; 36-45, 22%; 26-35, 9%; 18-25, 9%.
5. Should Alvirne Studio 19 students be offered the ability for student participation with the Cable Committee?
Yes, 90%; No, 10%.
6. Would you like to see public safety services on?
Police and Fire, each 57%; EMS and Health, each at 46%; Other/None, 16%.
7. How often would you like to see re-runs of meetings?
Weekly, 43%; Daily, 26%; Other/None, 16%.
8. Should more school programming be shown like Alvirne Studio 19?
Yes, 85%; No, 15%.
9. Would you ever purchase a copy of prerecorded program from HCTV?
No, 65%; Yes, 19%.
10. How long should meeting tapes be saved?
6 months, 35%; 1 year, 28%; More, 17%; Not at all/Other, 13%.
11. Do you currently watch for upcoming events on Channel 22?
Yes, 88%; No, 12%.
12. Do you find the current announcements easy to follow?
Yes, 70%; No, 20%.
13. Identification of person.
Anonymous, 58%; Identified, 42%.
14. Other concerns expressed: Adelpia, Increase of taxes, Wiring and location of meetings, Mandatory televising of all major boards, Size of current facility for HCTV, Types of Music played, Cable rates, Costs of production, Broadcasting of varsity sports, awards

and concerts.

Mr. Kelly said the programming that HCTV has established seems to be consistent with the wishes of the community. He would have like to have seen more responses, but believes there weren't more because the people are satisfied. In the Spring of 1995 when another survey was done, there were far more responses because the community wanted to see changes, many of which have been met. He believes the people want to see more of what is happening in their Town and by their Town. He asked if the Board agreed with the survey.

Mr. Sharon asked what percentage of cabled households responded. Mr. Kelly said he didn't have the exact number, but it was roughly 80 out of 6,000.

Selectman Jasper didn't know exactly what Coleman was looking for. and thought it might be more important for the Board to support him in any steps he might be looking to take to accomplish those goals. He didn't see anything that he would personally disagree with. Mr. Kelly said if the Board feels that this survey reflects the opinion of the community, then the Cable Committee would develop a plan for the upcoming budget to implement some of what is suggested in the survey. He would come back to the Board with things that the committee would like to implement.

Selectman Charbonneau said it should be emphasized that the money will not come from the taxpayers, but from the franchise fee. Mr. Kelly said that was correct, and how the CATV has operated to date.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, that the Board of Selectmen directs the Cable Committee to develop their plans for operation in accordance with the survey that was presented on 10/22/02.

Selectman Charbonneau wanted to motion to state that only franchise fee money will be used. Selectman Jasper said all the committee would be doing would be coming forward with a plan, which the Selectmen would deal with through the budgetary process. Chairman Cole agreed with Selectman Jasper. The committee would bring the Selectmen a plan, which would identify where the resources are coming from, at which time, if anyone on the Board has concerns, it could be voiced at that time.

Chairman Cole said the motion is for the committee to come back with a plan that mirrors the wishes of the public. However, this snapshot represents the view of 80 people. Under Question 1, the top two results are Selectmen and School Board and they are both currently televised. Number Three is the Planning Board. He asked if the plan was to follow the numeric priority. Mr. Kelly said that would be a logical assumption. Chairman Cole said the top one on Question 2 is Candidates' Night, and that is also already televised.

Vote: Motion carried unanimously. Chairman Cole thanked Mr. Kelly and Mr. Bieke.

C. Public Hearing to accept the award of an LCHIP Grant in the amount of \$14,000 to conduct a Historic Structures Report for Benson's Haselton Barn, Train Station and Old Office Building

Chairman Cole opened the public hearing at 8:15 p.m. and asked if anyone in the audience wished to speak. There was no response, so he closed the hearing at 8:16 p.m.

Motion by Selectman Jasper, seconded by Selectman Seabury, to accept the LCHIP grant in the amount of \$14,000 in support of funding for a Historic Structures Report encompassing three properties at Benson's—the Haselton Barn, the train station and the old office building--carried unanimously.

D. Award of Bid to prepare a Historic Structures Report

Chairman Cole recognized Curt Laffin, and thanked him for being present, saying he was trying to get an idea for the period of performance on the contract. He asked how long it would take for the report to be completed and submitted to the Board of Selectmen. Mr. Sullivan said he has been advised that the grant is valid for a year, but he hasn't spoken to Lisa about how long it would take her to do the report. Chairman Cole said Lisa's proposal didn't address the length of time it would take. The Board has been apprised on several occasions that time was of the essence, but he doesn't have a feel for how long the report will take because he didn't know what was involved. Mr. Laffin said Lisa used a time frame of three to four months. The only complication would be bad weather in the next few months. He didn't see any reason to be concerned that she would not have the report completed by next August. Chairman Cole suggested that when the motion is framed, they would put a not later than date for completion of submission to the Board of 1 April of next year, with the stipulation that if this is not satisfactory to Lisa, the Board can reconsider this at their next meeting. He asked if that sounded reasonable. Mr. Laffin said yes. Chairman Cole said he preferred not to have the August dated locked in concrete, given the other things they are looking at that this study may support.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to award the Historic Structures Report contract to Lisa Sasser, at a cost not to exceed \$28,000; report to be completed and submitted to the Board of Selectmen NLT 1 April 2003; report to be prepared in coordination with the Town of Hudson and NRPC, as appropriate, carried unanimously.

Chairman Cole asked Sean Sullivan to 'connect the dots' with the vendor. He asked when it was expected to have an executed contract. Mr. Sullivan hoped not more than two weeks. Chairman Cole said they could make adjustments, based on her recommendation of the completion date.

7. NEW BUSINESS

A. Retention of Public Records, Subdivision and Site Plans

Chairman Cole recognized Sean Sullivan, Director of Community Development, who said the plan filing system in his department is overloaded; the file drawers are crammed to capacity and then some to the point that it becomes a safety issue because it is very difficult for

the employees to access the plans. Sometimes it takes three people to obtain one plan because it is such a struggle. Inevitably, someone wants a plan that is on the bottom, so they have to move 75 to get to it. He had asked for a legal opinion on this, which he received, dated August 24, 2001, which outlines the procedure that the Local Records Committee, one of which is the Board of Selectmen, could authorize the disposition of subdivision and site plans that are older than 20 years. Most of their requests are for plans that are not older than 20 years, but they are all contained within the same files. Each plan on file in the Town of Hudson is also recorded at the Registry of Deeds in Nashua. Most everyone who is accustomed to researching plans will come to the Town of Hudson here is a little more leg work involved if they had to go to the Registry. They are running out of space. The plans of today are 15-20 pages as opposed to one or two sheets years ago because the detail is greater and the regulations are more rigid.

Selectman Jasper said in order to act on this matter, they must convene as the Board of Records, after being duly posted. They cannot act on this as the Board of Selectmen. The Town Clerk and Treasurer are also part of the Records Board and suggested that at the beginning of their next regular meeting, they could convene at 7:00 p.m. as the Board of Records. If neither the Treasurer nor the Town Clerk can make it, the Board of Selectmen is still a quorum. Chairman Cole said they have a quorum now. Selectman Jasper said but they are not posted as the Board of Records, so they cannot legally meet. It is in the Code and was voted on at Town Meeting in 1970.

Mr. Sharon didn't think two other officials joining the Selectmen in deliberating would make that big a difference. He asked if the posting requirements were in the Code. Selectman Jasper said no, it just says the committee is established to review old records and he'd also like to review the RSA's to see what their duties are. In order to take any action, they have to give notice of such meeting. They can't just decide they are going to act in that capacity without giving notice of their intent to act. The Community Development Department can at least start sorting out the plans. Mr. Sharon said he would not send them on the quest of starting that unless he's assured it will happen.

Chairman Cole said he'd like a motion to defer this item until their next meeting and they can work out the details of posting and getting the Treasurer and Town Clerk.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, that as this item cannot properly come before the Board of Selectmen that it be sent forward to the Local Records Committee and that committee shall meet at 7:00 p.m. prior to the next Board of Selectmen's meeting.

Chairman Cole's understanding was that the Local Records Committee would make a recommendation to the Board of Selectmen. Selectman Jasper believed the Records Committee would make the decision, but he needs to check the RSA's. He doesn't think the Selectmen, independently, have a role. Chairman Cole said this can be deferred to the next meeting and it may or may not be on the agenda, depending on whether or not the committee can dispose of it.

Vote: Motion carried unanimously.

Chairman Cole directed the Town Administrator to 'connect the dots' so that committee can meet prior to the next regularly scheduled meeting of the Board of Selectmen and to determine exactly what that committee can or should do, with regard to the disposition of this item.

B. Addendum No. 15, GZA Post-Closure Monitoring, West Road Landfill

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to approve Addendum #15 to the existing contract between the Town of Hudson and GZA, dated 15 Feb 1991 and authorize the Chairman to sign on behalf of the Board carried 4-0.

C. Setting Town Meeting Date

Chairman Cole asked for a motion to set the date for the Annual Town Meeting as February 1, 2003, starting at 9:00 a.m., place of location, Memorial School Lions Hall. Selectman Seabury so moved, seconded by Selectman Charbonneau.

Selectman Jasper said last year, they had discussed the limitations at Memorial School, including not being able to smoke on school property. He thinks the Lions Hall is the appropriate place to have it.

Amendment by Selectman Jasper, seconded by Selectman Seabury, to strike out Memorial School and insert Lions Hall.

Selectman Seabury thought that was a good idea because there was a problem with Memorial's new floor. The volunteer groups that serve refreshments as a way of raising money couldn't do so because no food was allowed inside the building. She couldn't even bring in a covered coffee mug. There would be more flexibility at Lions Hall. She is glad Selectman Jasper remembered because this is a wise move, as it can still be televised.

Mr. Sharon suggested using Library Street School. Selectman Jasper said they would still have the smoking issue. Mr. Sharon said there is always the street. Selectman Charbonneau said they would still have to be so many feet away to be able to smoke. Selectman Jasper said parking is much better at Lions Hall. Selectman Seabury said Lions Hall is a spectacular idea and she was all for it.

Vote: Amendment carried unanimously.

Vote: Motion, as amended, carried.

8. OTHER BUSINESS

A. Election Day Coverage

Selectman Charbonneau said the Board wouldn't be meeting before elections. She and Selectman Jasper were on the ballot, and would be unable to participate. She asked Chairman Cole who he was going to appoint as acting-Selectmen. Chairman Cole said that's the Moderator's

job.

B. Noise Ordinance Amendment

Selectman Jasper said back in the Spring, the Board directed to have the noise consultant look at the ordinance for possible amendments and asked the Town Administrator for a status update. Mr. Sharon said the last he knew, it was in the hands of the noise consultant. Community Development Director Sean Sullivan said several months ago, the noise consultant, Capt. Mello, the Code Enforcement Officer, Atty. LeFevre and he met to look at the Noise Ordinance. The consultant offered some suggestions to the technical language, but the attorney had some concerns with those suggestions. In the interim, they agreed to ask the Police Department if they have a mechanism available to test the motor bikes that were problematic and, if they do, to conduct those tests and take a look at the decibel levels, relate them to the statute, and then if they comply with the statute, make a determination whether or not the Code should be amended. They need that data before they take the next step. The number of complaints have essentially ceased since the springtime when it was more of an issue. He could check with the Police to see if they have received any complaints, but expects they haven't or it would have come up at staff meeting. They need to find out the mechanism the police have available to test the cycles and make a determination from there, in concert with the statute, if they need to amend the Noise Ordinance.

Selectman Jasper said there are people waiting to see what the Board is going to do. If the Board takes no action, people have to determine if they wish to take independent action. The time for all of that is fast approaching. Mr. Sullivan said the attorney said this may well be a civil matter between parties. Selectman Jasper said he hasn't heard the dirt bikes in the past couple of months. It may be a foliage issue or if there have been more modifications made. He has been in contact with the residents and they still have concerns and are waiting to see what the Town is going to do.

Mr. Sharon said the property owner's dirt bikes were modified, tested and brought into compliance with statutory requirements a couple of years ago. Selectman Jasper said it's a question of appropriate decibel levels. If the noise level is in compliance, maybe the decibel level is too high. It's an issue of continuous versus interrupted. The interruption can be for 10 seconds, so you are still listening to the noise 59 minutes out of an hour, but it's not continuous. The noise goes lower when they coast, then it goes back up. That was most of the issue—the decibel level and continuous versus intermittent. He believes they need to make some adjustments, taking into consideration the definition of continuous versus intermittent.

Selectman Seabury said she got a call from a neighbor in August, but she was leaving for vacation and told him she'd call him when she gets back. Lately, they have been playing telephone tag. She had told him that if he found there was a problem, she wants to hear it herself. She hasn't heard from him, so she will call him back.

Selectman Charbonneau said there is going to be a bill presented in Concord to increase the decibels. Someone had called her a couple weeks ago about that, too. She wondered if they have to go along with the State or if the Town could have a more restrictive law. That bill is being studied now. Mr. Sharon said a study committee was created by the State, which has been active for the last couple of years. They did pass legislation a year ago, which gave a lot of freedom for creation of dirt bike trails on State-owned and private property. (Further remarks not discernable.) If someone is not paying attention, they could take away the controls towns do have. Selectman Charbonneau thinks the legislators should keep the Town informed.

Chairman Cole asked Mr. Sullivan if he could give a time frame when the Board would have an understanding of what they can do, should do or don't want to do. Mr. Sullivan said a month should be sufficient. Chairman Cole asked if a month sounded reasonable to Selectman Jasper. Selectman Jasper thought that was ok, apologizing that he didn't bring this up several weeks ago. Chairman Cole said no apology was needed. It has been brought to the Town Administrator and to Sean. Now, it's just a matter of getting the right people in the right place to see what they are capable of doing.

C. School District Meeting

Motion by Selectman Jasper, seconded by Selectman Seabury, to extend the offer to the School Board to hold School District Meeting at Lions Hall, if the hall is available, carried unanimously.

D. Benson's Committee Liaison

Selectman Seabury said she was frustrated in her capacity as liaison to the Benson's Committee and didn't feel she is adequate or is doing a sufficient job conveying information from the Committee to the Board. Chairman Cole is the most knowledgeable person concerning the Benson's project and she felt information should be funneled through him. At the last committee meeting she attended, there were a lot of complaints and lack of communication between the boards, which she felt maybe was her fault. They were very upset about Curt not being re-hired as a consultant. They felt that they were not fully appreciated by the Board of Selectmen. They didn't know about Betsy Hahn being hired to administer the grants. She feels that somebody else can do a better job than she can as liaison. She fully supports the project, however, and the Town acquiring the property is a marvelous opportunity. She just doesn't feel she is doing as good a job as she should be doing with the committee. She doesn't know all of the information they ask for, but she tries to pacify them. The last time she brought the committee's concerns to the Board it was because they needed help. When they got Betsy, she thought the problem was solved, but they hadn't known Betsy was going to be hired and they felt they should have known. Communications seems to be the problem and she doesn't seem to be the person for it.

E. Library Liaison

Selectman Seabury said Trustees' Chairman's husband left a message on her voice mail that there was going to be a Library meeting on Sunday night at 5:00 p.m.. When she got to the annex, no one was there, so she thought she may have gotten the date wrong. She later learned that the meeting was at the Library and not the annex. She apologized for missing the meeting.

F. NRPC's Involvement with the Benson's Committee

Selectman Jasper said something Selectman Seabury mentioned jogged his memory. He heard that the Town is contracting with NRPC to manage the two grants for Benson's. He didn't know anything about that contract and didn't believe it ever came before the Board. Yet, at the Benson's meeting, it came out that there is some sort of agreement in place to do this. He asked what was going on.

Mr. Sharon said it wasn't any veiled mystery. The Town Planner's position was charged with shepherding most of the Benson's staffing issues and would be charged with managing, shepherding and monitoring the grants, as well. They contracted with NRPC, as they have done in the past, to provide technical assistance to the Town in the capacity of Acting Town Planner. Director Sullivan, Executive Director Singelakis and he met to go over those kinds of things. One of them was to monitor, manage and shepherd the grants, as the Planner would do. Selectman Jasper asked if this comes under the 20-hours a week, or if it was a separate contract. They are contracting with NRPC to provide an Interim Town Planner for 20 hours a week. Mr. Sharon said for planning duties. Selectman Jasper asked if those duties were within the contract that the Board of Selectmen approved and not a separate contract. Mr. Sharon said it is not a separate contract.

Chairman Cole said he was confused. He thought the Board went to CLD for interim planning support. Mr. Sharon said CLD was Acting Town Engineer. Chairman Cole said 'and Planner.' Mr. Sharon disagreed, saying they do provide some planning support because they got a Planner on staff, Cynthia May. Selectman Jasper remembered and said that was correct, that she was working for CLD now. Mr. Sharon said she is, but they are acting in the capacity of Town Engineer. Chairman Cole said 'and Planner.' She is providing planning services. Mr. Sharon said *some* planning services, but NRPC is. Chairman Cole said they brought CLD and Cynthia May on specifically to handle planning issues—attendance at meetings, two days in Town Hall, to address issues, etc., over and above CLD providing interim engineering support. He asked what happened to the NRPC 20-hour a month individual. Mr. Sullivan made a motion, drawing the edge of his hand across his neck, and said, 'gone.' Chairman Cole said that gets back to the basic question, i.e., NRPC's oversight relationship and involvement in Benson's grants. He asked somebody to fill in the blanks.

Mr. Sullivan said when he met with the Town Administrator and NRPC Director, they talked about the administration of the two grants. NRPC agreed to provide that service to the Town and that is separate and distinct from the planning duties. Chairman Cole asked what mechanism the NRPC was operating under. Mr. Sullivan said he has a memo from Mr. Singelakis, confirming the meeting.

(Start Tape 3, Side A)

Selectman Jasper said he was very disturbed. It is too late for Mr. Laffin, who has already resigned. He came to this Board to renew his consulting contract, which was substantially less than \$5,000 and encompassed far more than managing two grants. Now they are being told that the Town is hiring NRPC for \$5,000 to manage the two grants. The expertise for managing those grants was with Curt Laffin, who had intimate knowledge of developing those plans and could do it at a much better price. However it happened, contracts are not awarded without the approval of the Board of Selectmen. This is all ready to go, and the Board never heard about it. He hopes he's not the only one who is distraught about this.

Selectman Charbonneau said when she was on the committee, Betsy helped the grant writer tremendously through the whole process. She spoke to Paul awhile ago and said they should look into NRPC concerning the grants, especially since Betsy had so much knowledge and many connections, plus they wouldn't have to pay for the grant unless the Town received it. That's the last she heard of it. Selectman Jasper said Selectman Charbonneau misunderstood; this isn't to write new grants, it's to manage the ones already received. Selectman Charbonneau said she understood that. Selectman Jasper didn't think they should pay anyone to manage the bid that was just rewarded. The Board hasn't even talked with the committee to find out if they need somebody. He thinks a lot more thought should go into this before they spend \$5,000 to manage one grant.

Chairman Cole said they have to resolve this issue. He believes that writing grants requires expertise in a specialized field, etc., but administering grants at this level, to him, is a no-brainer. They don't need, in his opinion, somebody from NRPC for \$5,000 or any amount of money, nor do they need a consultant. He never understood what a consultant could do that a dedicated volunteer can't do. What they need is a resolution with regard to the grants they currently have that are related to Benson's—where they are, etc., and a recommendation with regard to the administration or oversight—soonest—before the next meeting. A white paper, executive summary, he didn't care. what, explaining the ins and outs. He said he wasn't taking away Mr. Sharon's responsibility, but this must be resolved. A grant has been awarded, accepted and a contract has been awarded—and another one is working its way around, with possible subsequent grants. He wants to know exactly what the scope of the challenge is and the Board of Selectmen can decide on the best way to address it. He asked Mr. Sullivan if that was a reasonable request to him. Mr. Sullivan replied that it was.

Selectman Seabury didn't know what the committee wants; she is at odds about that. She didn't know if they want Betsy Hahn or not. She thinks they were happy to have Betsy. That is kind of the flavor she got, but they just seem to be at sixes and sevens right now. Down to only three members, the committee is limited. She didn't know if the Board of Selectmen should meet with the committee. She doesn't know what the committee wants. She's just not the right person for the committee. She can't follow along with what they want; she gets very confused. Someone should go who has more knowledge than she has because she is really not cutting it.

G. Benson's Committee vacancies, Etc.

Chairman Cole said, with regard to the two vacancies, Selectman Seabury is still on the committee until the Board says otherwise. She thanked him, laughingly saying she was going to give him a good Christmas present. Chairman Cole thinks she has been unduly harsh on herself with regard to participation in the Benson's Committee. He shared her confusion in not knowing what that committee wants. He finds the comments extremely specious that committee never gets any input from the Board and doesn't have any communication. He has never received an e-mail or phone call from anybody on the committee with regard to any issue. He thought at the last meeting, when that veiled comment was made, that he corrected it for the record, with regard to the consultant and his being designated by the Board with regard to discussions with DOT. Everything else the committee has come to the Board for was, more than likely, approved. He will take Selectman Seabury's comments under consideration, adding that people should be very careful of what they ask for because they just might get it. Selectman Jasper said he has about three tons of coal in his cellar if Selectman Seabury would like a few lumps for Chairman Cole's Christmas stocking. Chairman Cole said, not to repeat himself, but certain individuals better be careful what they ask for because they just

might get it.

Chairman Cole said, regarding the two vacancies on the Benson's Committee, it has been posted and the deadline for applications is November 6. He anticipated that the Board would interview for those two vacancies at their November 12 meeting and, unless the Board decided otherwise, they would appoint on November 26. The Benson's Committee had requested they receive copies of the applications and he directed Priscilla to make those available to the Benson's Committee, as soon as possible after the deadline date of November 6. In addition, if the Benson's Committee wishes to provide recommendations after reviewing those applications, it is requested they provide those recommendations to the Chairman not later than 12:00 noon on November 12. The Selectmen meet that night.

Selectman Jasper said since they interview one week and make a final determination at their following meeting, the Benson's Committee could make a recommendation in time for the meeting when the Board will make a decision. Chairman Cole said that was fine, but they run the risk that the Board, on the night of the interview, would decide to make the appointments that night. He wants to give the Benson's Committee the courtesy of seeing the applications and making a recommendation, through him, of their choice. Selectman Jasper suggested they follow their normal process and interview on one meeting and make their decision the following meeting. Chairman Cole agreed, as long as they understand that could possibly be circumvented by the will of the Board.

Selectman Charbonneau asked if they would be setting a precedent for other boards to do their own interviews, too. Chairman Cole said the Benson's Committee isn't interviewing the candidates and they're not picking anybody. They are simply looking at the applications and submitting to the Board, through the Chair, their recommendations. Selectman Jasper said that happens now with the ZBA and, sometimes, the Planning Board, by recommending certain members. He didn't think they would be setting a precedent.

H. Bursey (Meadows) v. Town of Hudson

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to sign the Release Deed and the Release of Pendency of Proceedings relative to the Bursey v Hudson case, with language stipulated by the Board of Selectmen that addresses future use of the property carried unanimously.

I. New Liaison to Benson's Committee

Motion by Selectman Charbonneau, seconded by Selectman Seabury, that Selectman Seabury be replaced as the Board of Selectmen Liaison to the Benson's Committee by Selectman William Cole carried unanimously.

Chairman Cole asked who the Acting Chair of the committee was. Selectman Jasper said Esther McGraw is the Vice Chair, actin as Chair in the absence of one. Selectman Seabury said all of Curt Laffin's material was turned over to Mrs. Jasper. Selectman Jasper said because she is the Clerk. Chairman Cole will contact Esther.

9. REMARKS BY THE SELECTMEN

There were no remarks.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, for a recess at 9:15 p.m. carried unanimously. The meeting reconvened at 9:20 p.m.

10. NONPUBLIC SESSION

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to enter Nonpublic Session under RSA 91-A:3 II (a) personnel issues; (b) hiring of personnel; (d) acquisition of real estate carried 4-0 by roll call vote.

Nonpublic Session was entered into at 9:25 p.m. and was terminated at 10:25 p.m.

Motions taken in Open Session:

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to hire Robert Bellucci as Town Engineer in the Community Development Department, effective December 1, 2002 at an annual salary of \$60,408 and, after probationary period, to \$62,814 in accordance with the Town Supervisors' Bargaining Unit, carried 3-1. Selectman Jasper was opposed.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to hire Toby Provencal and James Richardson as Call Fire Fighters, effective October 27, 2002 at a rate of \$10.50 per hour carried 3-0. Selectman Jasper abstained.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to accept Joe Keller's request to voluntarily rescind his offer of employment with the Town of Hudson as a Call Fire Fighter carried 3-0. Selectman Jasper abstained.

11. ADJOURNMENT

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to adjourn at 10:27 p.m. carried unanimously.

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