

HUDSON, NH BOARD OF SELECTMEN
Minutes of the October 8, 2002 Meeting

7:00 – 7:40 p.m., Consultation with Legal Counsel.

1. **CALL TO ORDER** by Chairman William P. Cole at 7:47 p.m.
2. **PLEDGE OF ALLEGIANCE** led by Selectman Teresa Stewart.
3. **ATTENDANCE**

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

Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Sean T. Sullivan, Director of Community Development; Shawn Murray, Assistant Fire Chief; David Yates, Recreation Director; Keith Bowen, Curt Laffin and Esther McGraw of the Benson's Committee; Police Lt. Don McCrady; Police Sgt. Robert Tousignant; Lee Lavoie; Ray Rowell; Mike Juliano; Joyce Goodwin; Ann, TEL; Len, HLN; about a dozen other residents.

4. **PUBLIC INPUT**

Presentation of Recreation Committee's Youth Service Award

Chairman Cole stated this program has been in existence since 1985 and Lee Lavoie is only the seventh individual so honored. Chairman Cole presented the plaque, recognizing Mr. Lavoie for his outstanding contribution and effort toward the Hudson Skate Park project. Mr. Lavoie thanked others, too, including Ed Caban, Meggi Harshaw, Jen Richtarek, Kathy and Dennis Brown, Paul Hamilton, Dave Yates, Keith Bowen and Jeremy Griffith.

Proclamation in support of Red Ribbon Week, October 20-26, promoting healthy lifestyles

After Chairman Cole read the proclamation, he asked if anyone in the audience wished to speak on any subject. There was no response, so he closed Public Input.

5. **CONSENT ITEMS**

Selectman Jasper removed Items A & B from the Consent Agenda.

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to approve and/or accept 5 C & D carried unanimously.

A. Assessing Items

- 1) **Application for Elderly Exemption** (3 Bungalow Avenue, Map 047/Lot 081)

Motion by Selectman Jasper, seconded by Selectman Stewart, to grant, as recommended by the Assessor, carried unanimously.

- 2) **Veteran's Tax Credit Application** (30 Cottonwood Drive, Map 044/Lot 099)

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to grant, as recommended by the Assessor, carried unanimously.

B. Licenses and Permits

- 1) **Request for an Outdoor Gathering Permit by Hudson Historical Society to hold Harvest Fest, October 12, 2002 from 10:00 a.m. – 4:00 p.m. at the Hills House on Route 102.**

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to approve carried 4-0. Selectman Jasper, Chairman of the Board of Directors, abstained.

- 2) **Request for Raffle Permit by Wattannick Grange for drawing of toys, small household items and small tools on October 12 (Harvest Fest) to benefit the Grange.**

Motion to approve by Selectman Stewart, seconded by Selectman Charbonneau, carried unanimously.

C. Acceptance of Minutes

Minutes of the BOS Meeting of September 24, 2002

D. Committee Announcements

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| 10/9 | 7:00 Planning Board in CD Meeting Room |
| 10/9 | 5:00 School Board in BOS Meeting Room |
| 10/10 | 6:30 Recreation Committee @ Rec Center |
| 10/10 | 7:00 Sewer Utility in BOS Meeting Room |

10/10 7:30 ZBA in CD Meeting Room
10/12 Harvest Fest @ Hills House on Derry Road
10/14 6:30 School Board in BOS Meeting Room
10/14 Columbus Day—Town Hall Closed
10/15 5:30 Benson's Committee in BOS Meeting Room
10/16 Law Lecture Series
10/17 7:30 Budget Committee in CD Meeting Room
10/18 7:00 CHIPS Fright Night @ Lions Hall
10/21 7:30 Library Trustees @ Annex
10/21 7:30 Conservation Commission in CD Meeting Room
10/22 7:30 BOS in BOS Meeting Room
10/22 7:00 Trustees of the Trust Funds
10/23 7:00 Planning Board in CD Meeting Room
10/24 7:30 ZBA in CD Meeting Room
10/27 Daylight Savings Ends
10/28 6:30 School Board in BOS Meeting Room
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

6.

OLD BUSINESS

A. **Public hearing relative to the acquisition of the former Benson's Animal Farm property from the State of New Hampshire**

Chairman Cole opened the Public Hearing at 7:55 p.m. and asked if anyone in the audience wished to speak.

Howard Dilworth, Jr., 36-A Old Derry Road, said he was at a loss at what he should be offering comment on. No information has been provided relative to the cost, or a packet for viewing.

Chairman Cole said they had anticipated having information available to make public this evening with regard to a proposed price and several other conditions that might apply to the transfer. Unfortunately, that did not occur in a timely fashion. Rather than have people show up who might possibly want to speak, rather than cancel the hearing, he decided to hold it. At the next meeting, they might have another public hearing, although one is not required, and they also hope to have additional information with regard to the transfer. There being no more speakers, Chairman Cole closed the Public Hearing at 8:00 p.m.

B. **Benson's Committee**

Progress Report -- Chairman Cole recognized Curt Laffin who, due to a personal situation, was stepping down from further involvement in the Benson's Committee. He will, however, fulfill the commitments he has made to meet with civic groups over the next few months. When the Committee meets on October 15, they will discuss his situation and get back to the Board with some recommendations. He wanted to give the Board a summary of what the committee has accomplished to date. In March 2000, VHB presented to the Selectmen its plan that was developed in cooperation with NHDOT, a general concept of how Benson's could be used, which was divided into 12 management units, with a general discussion of activities that could occur within those units. When VHB completed its work, the committee looked at each of the 12 units in more detail. (Attachment 1, in the agenda packet.) For each of the units, they developed a goal statement and a list of activities with actions that would occur to help them reach the different goals. They also looked at other management concerns, opportunities and issues to address the whole area and that culminated in a discussion of 16 management categories (Attachment 2), such as safety, education, trails system, etc. In early June, they had the breakdown of each of the 12 units, plus the discussions of the 16 management categories.

They looked at that information, plus a lot of other information they had gotten through a public workshop a year or two ago, events at Old Home Days, and from the general public. They tried to get everything boiled down to a doable and reasonable plan they called Phase One. They applied two criteria to that information: protect the three historic buildings—Haselton Barn, the former Office Building and the Train Station—and provide the visitors with a variety of things to do so they could get an introduction to the long-term potential that Benson Park offered. They came up with the Phase One Plan (Attachment 3), which is pieces of the larger 12 unit management plan, broken down, which provides for parking, some restoration of the historic Benson area, some recreational facilities in the South Field area, cleanup and use of the pond area, and a $\frac{3}{4}$ mile loop trail through the property. That information was taken to the CIP Committee and to the Board of Selectmen. They got some feedback that more was expected, or that wasn't really what they were looking for. He then met with Town Administrator Paul Sharon, who suggested that it be put on a map, which would make more sense as a plan. That was in early July, which was about the same time the Town Planner and Town Engineer were leaving, and the Grant Writer was gone, which meant there wasn't much support. He met with Sean Sullivan, Director of Community Development, and he advised them that CLD could probably help.

He contacted CLD and asked if they could provide specific blow-up maps of the Phase One management units, which they did, and then the committee decided that since they were having difficulty getting support from people who put together site plans, they could take a shot at it themselves. Attachment 4 was the result. Two major changes occurred from the Phase One Plan. The significant change was the location of the train station. They had discussed putting it out on Route 111, which is called the Welcome Center Unit. They were concerned that that would cause traffic congestion and problems on a busy intersection of Greeley Street and 111, which could be avoided by putting the train station somewhere else. When visitors come to the park and stop at the Welcome Center, they would then have to get into their cars and make another trip to one of the parking areas to get into the park. The train station is now proposed to go in conjunction with the primary parking unit. People would have only one stop to get into the parking area and the train station. On 111, they would have a welcoming sign, and some kind of visual attraction that would reflect the Benson legacy.

The other change that occurred came from a volunteer Civil Engineer, Dave Clark, who looked at the water control structures that control the pond that come down through the ravine unit. Attachment 5 describes the different structures and culverts. His main concern was the culvert leading out of the pond needs to be replaced, which is the most critical one. The other ones can be reused. That has been added to the plan.

Attachment 6 refers to the trails. They have a grant from the NH Trails Bureau to build a $\frac{3}{4}$ mile loop trail, even though the Town doesn't own the land yet, for \$20,000 with a \$5,000 match. They originally planned to build it around the Kimball Hill Loop, but DOT asked the Town to find another place to put a trail until they are finished with their wetlands work. The Friends of Hudson's Natural Resources rerouted the trail and now it starts from the primary parking area and winds around the more southern part of the park.

They have been working on the grant for historic buildings. The Town applied for and received an LCHIP grant to do a Historic Structures Report on the barn, train station and office building. In mid-August, the Town received a letter that they had received that grant. They also have a bid, as a result from the grant application, whereby they had to go out to bid before they applied for the grant. They got notice of the grant in the middle of August, they have the bid and they know who wants to do the work. Due to the lack of support in various offices, that item hasn't even come to the Board to accept the grant. They are all ready to go with the project as soon as the paperwork is completed. As part of that project, they were concerned about protecting the barn, which they have already discussed with the Selectmen. He met with the Fire Chief and Fire Marshal about building a fence around the bard and some other items. In a site walk with the Fire Marshal, he provided some good input about different parts of the project (Attachment 7).

They made progress on a long-term education program for the park. A lot of school teachers are interested in seeing the park used for education purposes, but they haven't had any formal meetings on that project yet.

They have also been looking at potential funding sources and donors. He's had meetings with people at LCHIP and NH Charitable Foundation to explain the project because his experience with fund raising and grant writing is that the better you know the funding source and the better they know you, the higher quality grant application you can put together. Every group that he has shown this plan and project to are very enthusiastic and are interested in helping make it happen. Other contacts that should be made are with the US Congressional Delegation, NH Park Service and the National Guard. because they help towns build projects.

They have been doing quite a bit of outreach with the civic groups in Town. Attachment 8 is a list of the meetings they have had with the Rotary, Lions, Community Club, Junior Women's and various other groups. Every group has been interested in the project and wants to get involved, adopt a piece of it. The Community Club is interested in putting in a butterfly garden on the property on the north field unit, which they found to have potential. They are pursuing that and are putting together a plan to bring to the Selectmen. They are also talking to the Boy Scouts and Girl Scouts to see how interested they are in adopting that project.

Attachment 9 is a list of the volunteers, folks who are interested in getting involved in the project. Attachment 10 lays out the strategy for taking their message around Town and the surrounding towns because the Benson's legacy goes beyond the Hudson border. During August and September, they didn't do a lot, due to the lack of a Town Planner and Town Engineer. They got the Phase One Plan onto the map, so that's where they are now.

Yesterday he was faxed an estimate from CLD to take the site plan map to the Planning Board level. However the north field unit isn't in Phase One.

(Start Tape 1, Second Side)

If they were to take those out, the total cost range would be between \$53,000 and \$69,000. If they were to do them all at once instead of individually, that cost would come down another 15%, which brings it between \$45,000 and \$59,000. That's what it will cost to take the plans to the next level. They really need to hire someone to keep Phase One going, to maintain communications with the funding organizations and the different agencies that can help build the park. He urged them not to anticipate this responsibility can be picked up by the new Town Planner because of the amount of work involved and time constraints.

When decisions relative to the Benson's Committee are made, the committee should be invited to participate in the discussion. He can't remember of a situation where the committee has been asked to help anyone with any recommendation related to the project. They know the land very well and can offer suggestions. Another recommendation is the concept of creating a Parks and Open Space Department for the Town. As Benson's Park project moves forward, they do not have the management capability to deal with something like this.

In general, his recommendation is for the Board to generate more communication with the committee. The committee has not gotten a lot of feedback from the Selectmen on what they like or don't like. The committee assumes that what they are doing is being favorably received, but they are not getting any direct communication from the Board of Selectmen. The first question they get asked when they take civic groups out is the cost. Their response is that the Board of Selectmen is confident it is going to happen.

Selectman Jasper said he appreciated all of the work Mr. Laffin has done on the project and is constantly amazed by the detail as he went through the documentation Mr. Laffin provided. He can only begin to imagine how much time Mr. Laffin personally spent on this. His level of expertise is not something that is going to be replaced without great expense to the Town. He is saddened that Mr. Laffin will not be able to continue.

Chairman Cole said Mr. Laffin made reference to two grants, one of which was the Historic Structures Report for \$14,000 with a \$14,000 match. On that subject he met with the Town Administrator, the Finance Director and the Director of Community Development and directed that that item be on the next agenda. Since that was the result of an RFP that went out and bids coming in, and the selection being made by the Town, that if the Board approves it at the next meeting, it could be contracted for immediately and then a time line could be set up by the appropriate vendor. The second grant had to do with the trails--\$20,000 with a \$5,000 match by the Town that could be either cash or in-kind. He asked when the Benson's Committee would be coming before the Board with an executable plan they can vote on for the expenditure of the funds.

Mr. Laffin hopes that will happen fairly quickly. He's going to follow through with the commitments he has made and one of them is to meet with the Boy Scout and Girl Scout leaders, hopefully, within the next couple of weeks. He'd like to see the Scouts adopt that trail and the different troops could do different pieces of it. Parts of it could be an Eagle Scout project. They might be doing a site walk with the leaders at the end of October. If they agree to take on the project, the committee could come back with something fairly quickly. Then it will be a contracting type approach, but that shouldn't take too long. It is all laid out and they know where it will go. A fair amount of it is existing, paved walkway. It's a very doable project and they're not far away at all. That's a reimbursable grant. It's a matter of doing the work and submitting the invoices. Chairman Cole's understanding was that grant can't be acted on because they don't have an executed plan. Mr. Laffin said no, they don't have a detailed plan. Chairman Cole said he's been clear about what a plan should be. If they are going to expend funds, the Board needs to know exactly what the funds are going to be expended on, what resources are going to be utilized, whether they are financial or other, the time line, the goal of the project, etc. Any time taxpayers' funds are expended, they are looking for a detailed layout of what they are going to get, why they are expending it and what the ultimate goal is. Mr. Laffin said that was correct; it sounds good.

Chairman Cole asked how much money was available to be spent on the Benson's project. Mr. Laffin said he's not sure he ever actually knew but, over the years, \$200,000 had been appropriated at Town Meetings. Mr. Sharon said \$197,000 and change.

Chairman Cole addressed an earlier comment by Mr. Laffin regarding lack of communication between the committee and the Board of Selectmen. With the exception of the Board's decision not to continue with a consultant and those matters that he has been handling on behalf of the Board with the Commissioner of the Department of Transportation, he is at a loss as to what other items the Board has acted on that the committee has not had input on or been consulted on. Mr. Laffin said he was suggesting informal interaction was lacking.

Resignation of Chairman Curt Laffin

Motion by Selectman Stewart, seconded by Selectman Seabury, to acknowledge the resignation dated 3 October 2002 of Curt Laffin from the Benson's Committee, with the Board's sincere appreciation for the time and effort he put forth on behalf of the Benson's project carried unanimously.

Chairman Cole said they hated to see Mr. Laffin leave the committee and wished him well in future endeavors.

C. Soccer Field Development on Town-owned Land by Hudson United Soccer Club

Chairman Cole recognized Mike Juliano, President of Hudson United Soccer Club, and David Gaudette, Treasurer. Chairman Cole said he wanted to frame the discussion. The United Soccer Club contacted the Board of Selectmen a couple of weeks ago with a couple of items and it was passed back to them that it was recommended they get on the agenda. The items had to do with a grant to use the land for 15 years instead of 10 years, advertising signage at the fields and naming the fields. However, another issue has come to the attention of the Board that has to do with what exactly is being proposed. A plan was presented to the Board of Selectmen back in January to move forward. On March 11, the Board approved them not having to go before the Planning Board, pursuant to RSA 674:54. Mr. Juliano said that was correct.

Chairman Cole asked if the plan that was presented on January 8 was still the plan. Mr. Juliano said that it was. Chairman Cole said the Selectmen received a number of drawings from Maynard and Paquette, one or more of which were dated July 26, 2002, which appears not to be in concert with the 50' right of way parameter that originally existed. Mr. Juliano said he wasn't aware of that; the right of way for the road was supposed to be there and that the plans were done with that in mind. The road is on the left hand side of the field access. Chairman Cole apologized, saying this was brought to his attention just today. Mr. Juliano said he was being blind-sided. Chairman Cole said that wasn't the intent. (Mr. Sharon brought his plans to where Mr. Juliano was seated and they discussed what was indicated on the maps.) Mr. Sharon said Richard Maynard "has acknowledged that." Mr. Juliano said Richard Maynard had the plans and knew about the 50' right of way. He's not sure where the confusion was. This is the first time this has been brought to his attention and he wasn't sure if Mr. Sharon was pointing to the boundary line or access road. He was under the impression that the boundary line was further over.

Mr. Sharon said the entire site was purchased by the Town from the New Hampshire Department of Transportation. One of the stated goals was the roadway connection (3A to 102), with the road being the standard width. When the Board acted to give Hudson United Soccer authorization to develop soccer fields, it was with the specific caveat that at least a 50' strip, which would be essentially the right of way, would be maintained and avoided by any field. The plan that was brought to the Board in January did that. Some time between then and now, a new plan, produced by Maynard and Paquette, essentially eliminates the required right of way. Mr. Juliano said that was not intentionally done and they, obviously, will go back. He's not sure why Mr. Maynard deviated from the original plan and why the right of way was left out. The original plan is what they want to go with, so the current plan will be redone. The square indicated on the current plan was not the field; it was a subset of what was indicated on the drawing.

Selectman Jasper said the two boxes that were originally shown as the fields and the two on the current plan are much different in size. Mr. Juliano said he thinks Mr. Maynard was trying to leave enough of a buffer zone between the field and the road. Selectman Jasper said there is now a large space between the fields. The original fields did not extend beyond the property line of the school district. Now, the second field actually begins beyond there. Mr. Juliano said the reason for that was the layout of the land. There was a large drop in that area, so the cost of putting the field there would be excessive. The trees remain in the middle area; they won't have to be removed. Selectman Jasper said the power lines potentially run through the corner of one field. Mr. Juliano said they haven't started the second area yet. They are going to have enough trouble getting funding for one field, let alone two. It's an idea for the future. He apologized, saying the change wasn't even something he was aware of, which is partly his fault for not looking at it closely. Eliminating the road wasn't intentional, so he will go back to Maynard and Paquette.

Chairman Cole said they weren't trying to fix the blame; they were trying to fix the problem, and he wasn't sure exactly what the problem was. Mr. Juliano said Mr. Maynard came up with a set of plans and then he came back after going out to the site to look at it and surveying it in more detail throughout the final plans, which should have been brought back to the Board of Selectmen. He didn't realize that; that's where the miscommunication happened. He signed off on the final plans because people were lined up to start doing the work. Chairman Cole said the Board needs to be reassured that the plan that goes forward is what was voted on in January and, if it's not, he's not sure where that puts the entire project.

Selectman Jasper said maybe the Board was a little naïve and didn't ask some questions they should have. On the second plan, there is a concession building. Mr. Juliano said no, that was just proposed. Obviously, they would have to go in front of the Planning Board to get that approved because it is a structure. They put up a tent, which is the concession stand, and it comes down after the games. Selectman Jasper said the reason this all came to light was because the Chairman of the School Board, David Alukonis, called him yesterday because United Soccer had gone to the School Board, seeking authorization to hook into their power. The question now is what is the power for? Mr. Juliano said it's using the pole to run a line for electricity for the sprinkler system to run the well.

Mr. Sharon said the primary purpose of that stretch of property is a roadway connection. Mr. Juliano said he understood that. Mr. Sharon said nothing should be done to impinge on its construction. Selectman Jasper said that when Mr. Maynard does the calculations, he has to make sure the curves are within the acceptable range for a road of, probably, 30 mph. That has to be part of the consideration. Selectman Charbonneau said the reason the Town got the land was for a connection to 102. Mr. Juliano said he understood that from the start. His goal and intent from the start was to get in a soccer field for the youth of Hudson.

Motion by Selectman Jasper, seconded by Selectman Seabury, that the Board of Selectmen commit a portion of the property off 102, as previously agreed to, for use as soccer fields for a period of time not less than 15 years, allowing for a 50' right of way, which will permit a connection from Route 102 to Route 3-A.

Selectman Stewart asked if United Soccer was going to come back to the Board of Selectmen with a cleaned up site plan. Selectman Jasper said yes, unless they were going to go with the original version. Mr. Juliano said they are not that far from that. The trees are on the inner side. Rick Martineau from the Alvirne Forestry Club stayed within certain boundaries because they knew what the plans were going to be. The work that has been done has been adjusted for the road. Selectman Jasper said he'd like to see them come back with a full scale plan. Selectman Stewart said the concession stand that is on the plan now should be gone. Mr. Juliano said they were told to put as much on the plan as possible for the grant.

Chairman Cole said they seemed to be getting off on a tangent. He wasn't opposed to Selectman Jasper's motion, but wished he didn't make it until the Board was satisfied with the plan. If they expected United Soccer to come back with a cleaned up plan, the Board could then handle the other items. Selectman Jasper believed United Soccer was under the gun to get the grant application done. Mr. Juliano said that was correct. The grant was due in November. Chairman Cole said the Board still has another meeting before November.

(Start Tape 2, Side A)

Selectman Jasper said when the Board approved 674, they believed the next step was an expedited hearing by the Planning Board. The Planning Board couldn't make United Soccer do anything, but they could offer suggestions. That is what happened with Hills Garrison. United Soccer did get direction from the Board of Selectmen, who authorized what was asked for. Unfortunately, it doesn't appear that the club knew exactly what they were asking for, but that's not the Selectmen's fault. Mr. Juliano said he didn't totally agree with that. Selectman Jasper said he disagrees with Mr. Cole because the Board did know what they were doing; it wasn't enthusiasm getting the better of them. It was the fact they were putting in needed fields and they didn't need to go through the whole process, but they were still supposed to go to the Planning Board--and nobody told them to go build the fields. He, and he assumes the rest of the Board, have been waiting for United Soccer to come back with their final project. This is another case of miscommunication in the Town of Hudson. If United Soccer hasn't been to the Planning Board, they need to do that, which is a requirement under the statute.

Selectman Charbonneau said, quite awhile ago, she had asked Paul for a status update. Mr. Juliano said he is the point of contact and a simple phone call could have been made to ask him. He didn't see how that was a big problem, if the Selectmen were just sitting, waiting for something. He wasn't aware of that and is just trying to do the best he can to get this moving along. Miscommunication or not, he did what he thought was correct. Selectman Jasper said no one was blaming him, that his point of contact was David Yates. Mr. Juliano said he talked to Dave a couple times about the progress. Selectman Jasper said this wasn't a project of the Board of Selectmen, so they weren't going to reach out. They knew the people would come back to them when they were ready. The Selectmen may wonder where something is, but not enough to cause them to pick up the phone. It sounded like the Selectmen were being told United Soccer hasn't been to the Planning Board formally yet. Mr. Juliano said they have not because they weren't under the impression that they had to.

Chairman Cole said what got them where they are today was a combination of enthusiasm and bad assumptions. He asked for the will of the body: Thank them and tell them to move forward; have them come back with a plan and run the Board through it, step by step, so they are all comfortable; or move towards the Planning Board. Selectman Jasper said before they move to the Planning Board, he would like to see the new plan, but that's no reason they can't, at the same time, schedule to get on a Planning Board agenda. He really thinks the Board of Selectmen should see the plan first.

Chairman Cole asked Mr. Juliano if he had any idea when he might come back to the Board and walk them through the most current iteration of the plan for soccer fields so they understand it and are assured that moving towards the Planning Board is the correct plan. Mr. Juliano said he'd have to talk to the engineer to find out how long it is going to take him to redo the plans. He said he was amazed that he wasn't approached with this issue in non-public, one on one, to let him know what was going on. He came in tonight with an intent totally different than what has transpired, which he feels is a little unfair.

Mr. Sharon said it was only yesterday that it was brought to his attention that the original plan that had been brought before the Board of Selectmen had been amended and was a totally new iteration that changed the scope of how the soccer fields were being laid out. The Town had to go to Maynard and Paquette to ask for a copy of that plan to see what changes were being made that the Town wasn't aware of. The changes that were made, essentially, dead-ends the 50' right of way at the second field. Their understanding was that someone from the soccer organization had been talking to one of Richard Maynard's employees and said they needed more room. Mr. Juliano said that wasn't true. Mr. Sharon said that's what Richard Maynard told the Town. They had to have some reason to make that new plan. Mr. Juliano said he's not sure what happened, and apologized for that. He's not sure what transpired. He never went to them and told them that. Mr. Sharon said the Town was told by Mr. Maynard that someone from the organization changed the plan. That's why they generated the new plan before them. Mr. Juliano said no, what happened was they came to them with a plan. They went out and surveyed the area and said they

needed to finalize the plans, and that's what they did.

Mr. Gaudette said the conceptual site plan was done from a plan from the Hills Garrison School. The plan they waited another eight months for was for the engineers to actually survey the land themselves, coming up with a plan they could build with. (Talking over each other.) Mr. Sharon said the plan that was brought before the School Board, which prompted the School Board Chairman to talk to Selectmen Jasper, was the current one, dated July 26. Selectman Jasper said he understands that Mr. Juliano feels he has been blindsided tonight, but when you put the chain of events together, he didn't get a response back from the Town Administrator until he got in from work today at 5:00 and didn't really know what the scope of the problem was and they didn't see the plans until the meeting tonight, so there wasn't any way to contact anyone. None of them really knew what the whole picture was. No one was saying not to go forward with the project, but they can't go forward the way it is laid out. It has been an unfortunate situation and he understood the frustration, but they can be thankful that Dave Alukonis gave him a heads up on it yesterday before work was started. All in all, this is a good thing.

Selectman Seabury asked if this was a private field. Mr. Juliano said his group was funding the project, but the Town owns the land and it will be shared with the Recreation Department. There's over 1,000 kids in Town that plays soccer, but not enough fields for them. Right now, they play at Nashua Corp in Merrimack. His frustration is trying to get kids where they belong and he's doing his best to make that happen.

Chairman Cole said whether they were mistakes or miscommunications, that's yesterday's newspaper. They've got to move forward. The Board would like the soccer group to come back at the first opportunity with a cleaned up version of the plan, something that is discernable to non-engineers on the Board and explain it to them, or have someone from Maynard and Paquette come in and explain it so the Selectmen are reassured and understand exactly what is going on out there. They can also move forward with getting on the Planning Board calendar, in concert with coming back to the Board of Selectmen. He asked David Yates if he was still the point of contact for this organization. Mr. Yates said yes and agrees that there should be more communication. He had no idea that Mike was coming tonight and caught him off guard, too. Chairman Cole said as a result of this evening, there will be more communication between the Recreation Director, the soccer club and the Board, as a whole. It wasn't anyone's intention to blindside anyone. The Selectmen did not get the information until they walked into the room this evening. Rather than cancel them off the agenda totally, until they sorted this out, which would have put the grant application in jeopardy, they left it on. Mr. Juliano said he wished that that had happened because he would have felt more comfortable with that. Chairman Cole apologized for any misinterpretation and it wasn't anyone's intention to cause him or the club any discomfort, but asked him to understand the Board's responsibility in understanding exactly what is going on in all aspects when it comes to the taxpayers' and residents' interest. If they can agree on that, they can move forward.

With regard to the item on the signs, he was going to ask for a motion that that be looked at by the Director of Community Development and appropriate staff. With regard to the naming of the fields, he asked Mr. Juliano what he was looking for. Mr. Juliano said with everything that has been going on in the world, the military is on a lot of people's minds, and with all of that has happened over the past year, they thought it would be a good idea to recognize the Hudson heroes that lost their lives in past wars and the 9/11 event and to name the fields Freedom Fields and have some sort of memorial in place so kids can realize how lucky they really are to have a chance to play on a soccer field. His son came up with the idea initially and they talked about it at their board meeting and decided to bring it before the Town to work on together to make it happen.

Chairman Cole said when they come back with the finalized plan for the Selectmen to review and understand, perhaps Mr. Juliano could give them a better indication of what he envisions the memorial might be. They certainly support the rationale behind it. Mr. Juliano said it was just a concept, something to think about and team up with the Recreation Department and Selectmen to come up with a positive motion to get the children involved and raise the awareness of why they have what they have. Selectman Jasper said it was a great idea, but the people they should be working with are the VFW and American Legion. Mr. Juliano said they planned to do that. Chairman Cole said, on that subject, they have the support of the Board. If there are any details in implementing it as they go forward, he expects Mr. Juliano will come back before the Board to present it. Mr. Juliano asked if this was a separate issue that has to be presented to the Planning Board or if they could tie it in with what he needs to do next. He asked how it should be handled. Chairman Cole said it depends on what the memorial is. If it is going to be some sort of structure, then they will be looking at a site plan. It may be a plaque at the entrance of the field. Once the Board knows what it will be, they can give direction. He didn't think it would be a problem either way. Selectman Jasper said the Firefighters' Memorial was completed under the same statute and, since it is Town property, they have control over the placement, so it could go forward. If the Planning Board had some real issues, the Board of Selectmen would probably just say follow the Planning Board and that accomplishes the same thing because they are going to have the same level of detail on the plan. Selectman Charbonneau thought it might be included when they were drawing up the plan, such as a granite slab. Mr. Juliano said that's what he was thinking of. Chairman Cole said that it should be on the plan and brought to the Board's attention.

Mr. Juliano asked what the direction was on the display advertising. Chairman Cole said he'd probably have the Director of Community Development give the Board a recommendation at the next meeting. In the interest of good communications, the soccer club and the Community Development office should talk between now and the next meeting so they understand exactly what it is they are anticipating so the recommendation will mirror that. Selectman Seabury asked if all ball fields have signs on the fences. Mr. Juliano said in soccer, they use a 4' x 8' portable kick board and the sign will go on that. Around a soccer field, there are A-frames. The signs would go on those, which would be put away during the off season so they wouldn't get ruined.

Selectman Stewart asked if there was going to be a storage area. Mr. Juliano said they'd have to bring in their supplies because they are not allowed to put up a storage facility. Their supplies only consist of soccer balls and a couple of nets. Selectman Jasper said if it's a shed on a non-permanent foundation, with a positive recommendation by the Planning Board, he didn't have a problem with that and didn't think that would be an issue. Selectman Stewart said when the organization on Greeley Street put up a structure, they had to go back to the Planning Board. Selectman Jasper said the Planning Board may have all kinds of issues and decide to scrap it, but this is the time to ask for them to look at it.

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to refer this to the Community Development Director for his recommendations and comments, following coordination with Town staff and the Hudson United Soccer Club, as applicable, carried unanimously. Chairman Cole asked the Community Development Director if there was any question in his mind what he had to do. Mr. Sullivan replied in the negative.

Motion by Selectman Jasper, seconded by Selectman Seabury, for a recess at 9:20 p.m. The meeting reconvened at 9:26 p.m.

(Start of Tape 2, Second Side)

7. NEW BUSINESS

A. Public hearing on proposed Ordinance 02-03, authorizing the Installation of 4-way Stop Signs at the Intersection of A Street and B Street

Chairman Cole opened the Public Hearing at 9:27 p.m. and asked if anyone wished to speak.

Tim Martin, 26 B Street, spoke in favor of the installation of the 4-way stop signs because there have been accidents in that area. He is concerned for the safety of his child who rides his bike on the street.

Jason Josokos, 29 B Street, spoke in favor of the ordinance. He's lived there about a year and chose this street because it was a family neighborhood. Not long after they moved in, they noticed there were a lot of speeders and there have been accidents and near-accidents because of that.

Lt. Don McCrady of the Police Department said that the Highway Safety Committee recommends adoption of this ordinance, due to the history of motor vehicle accidents there. This intersection meets all of the criteria.

There being no further speakers, Chairman Cole closed the hearing at 9:31 p.m.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to adopt Ordinance 02-03, authorizing the installation of Stop Signs at the intersection of A Street and B Street, carried unanimously.

B. Public Hearing on the donation of \$850 from the Hudson Junior Women's Club for the Recreation Department to purchase two recycled plastic benches for the Skate Park

Chairman Cole opened the Public Hearing at 9:33 p.m. and asked if anyone in the audience wished to speak. There was no response, so he closed the hearing.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to accept the donation, with the Board's gratitude, carried unanimously.

C. Donation of \$416 from the Merrimack Valley Bee Keepers for a double Skateboard holder for the Recreation Department's Skate Park

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to accept the donation, with the Board's gratitude, carried unanimously.

D. Donation of \$500 from Henry Sevigny of 50 River Road for the Police Department's DARE Program.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to accept the donation, with the Board's gratitude, carried unanimously.

E. Donation of \$500 from the Hudson Nottingham West Lions Club to the Fire Department to put towards a Thermal Imaging Camera.

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to accept the donation, with the Board's gratitude, carried unanimously.

8. OTHER BUSINESS

A. Ball Field

Selectman Seabury said at the last Planning Board meeting, the new Stop & Shop gave a tentative agreement for a right of way through their property to the State property. She had given a note to Paul to put that into process before they go away. Mr. Sharon said he communicated with Commissioner Murray and reminded her that they had some discussions some time ago. She asked that he convey that in writing, which he did. Selectman Seabury said they said they would build one ball field or they would build the gravel parking area. Hopefully, that will be forthcoming.

B. Harvest Fest

Selectman Stewart said Harvest Fest is this weekend at the Hill House. There will be a lot of crafters and vendors, hay rides and pumpkin painting and a lot of things going on. She will not be at the next Selectmen's meeting because it is her annual vacation in Key West.

C. Fire Fighters' Awards Banquet

Selectman Charbonneau said the banquet was very nice, noting that Chairman Cole and Selectmen Seabury were there, too. There was such a large crowd, they had to bring in extra tables. She was pleased with the presentation of St. Florian's medal to the Selectmen. Selectman Stewart said she was at a wedding.

D. Benson's Committee

Motion by Selectman Jasper, seconded by Selectman Stewart, to advertise for two positions on the Benson's Committee.

Selectman Charbonneau thought they should try to get an engineer or someone in construction on the committee to help out with some of the projects and be able to offer their expertise.

Chairman Cole said he wasn't opposed to the motion, but felt they were putting the cart before the horse. He didn't have all of the historical data on Benson's with him, but the size of the committee was set at either seven or nine. In the interest of good communications, he'd like the remnants of the committee to come back to the Board with their recommendation of what the committee should be, as they go forward with the transfer. Once the transfer is solidified, the enthusiasm level for the project goes up. He'd like to see a recommendation come back so they can size it properly. It has to be much larger, including sub-committees, action committees, etc.

Selectman Jasper didn't disagree with that. However, the committee has decreased. There used to be two Selectmen; now, there's only one and they've lost two other members. This is a good way of finding out who is interested and at least getting the committee back to a minimum level, which is desperately needed at this time.

Selectman Seabury asked if they should consider term limits, so there will always be someone on the committee with historical knowledge because this is going to be a horrendously large project. Selectman Jasper said in the long term, they might want to have an oversight committee, but they are a long away from that. The Selectmen can reformat the committee any time they want. Right now, they are a committee making recommendations and they should be brought up to proper staffing.

Mr. Sharon said it is an ad hoc committee of the Board of Selectmen, with changing needs. The property needs to be acquired and then things will be tasked. It seems to him that it is a good idea to have some representation on that committee with people who can actually design, or that kind of thing. The committee may need to be reconstituted. If they set term limits, they are removing that option from the Selectmen.

Selectman Seabury said the committee is meeting next Tuesday at 5:30. She is not privy to any decisions they make or what they are planning to do, etc. She asked if the Selectmen should wait to see what the committee is going to do. Selectman Jasper said his motion was only to advertise. If people are interested, they will apply, whether there are two vacancies or four. If the Board decides they want to increase the size of the committee, they will already have the names. He is sure the committee won't say they don't want to have more members.

Selectman Charbonneau said the committee would know what type of members they need. There might be an engineer that would like to work on the project, or a landscape architect. They are also going to have to bring in someone from the construction world. They need people with expertise in the field. Selectman Jasper said they could encourage people to apply with expertise in the area of landscaping, engineering and construction, and that is a good thing, but they need to get going. Waiting isn't going to accomplish anything.

Chairman Cole said they aren't waiting. He asked how many open positions are on the committee. Selectman Charbonneau said two, but at the beginning, there were also two Selectmen, which was changed to one. Selectman Jasper said he'd be happy to amend it and advertise for three. Chairman Cole said he would support the motion, but this committee exists at the pleasure of the Board of Selectmen. If nobody was on the committee, and the Board didn't do away with it, it still exists. If there are 20 people there, and the Board does away with it, it is gone. That's what the committee has to understand. He hoped to see, as they move forward with the transfer, the committee come to the Board of Selectmen to give them a feel for the size of the committee, how it is going to be organized, i.e., a subcommittee for strategy or for outreach or projects. One of the problems with four or five people who try to do everything is running into the time-space continuum challenge. Eventually, he'd like the committee to give the Selectmen some idea, based on the projects they can put their finger on today, i.e., this Historic Structures Report, the trails, and then whatever the subsequent issues are, so the Board can support them, as best possible. They can always change the size of the committee, if it has to be larger, or if the Selectmen want to denote certain qualities and characteristics and skills. Once the Town gets the land, they have to move forward with it. He will support the motion, but hopes the committee, in the future, will give the Selectmen some feedback as to the committee's composition, etc.

(Start Tape 3, Side A)

Chairman Cole asked the Recorder to read back the motion, and if Selectman Jasper wanted to add anything, he could. Ms. Boisvert read back the motion. Selectman Jasper said it was fine.

Vote: Motion carried 4-1. Selectman Charbonneau voted in opposition, saying it should be up to the committee.

E. Budget Presentations

Selectman Jasper said last week when the Selectmen Chairman and Town Administrator were both out, there was some discussion of when the Selectmen were going to hear staff's budget presentations, and asked if they were going to be doing them the first weekend in November. Mr. Sharon said November 1 and 2, with the possibility of additional discussions on Monday, the 4th, depending on Chief Gendron's schedule. Chairman Cole said as it stands right now, the only primary staff member that won't be available on the 1st and 2nd is Chief Gendron, but they can work around that so he can represent his department in an adequate, timely fashion. Selectman Jasper assumed Capt. Mello could make the presentation in the Chief's absence. Mr. Sharon said he'd prefer to defer to the wishes of the department head to present their own budget. Chairman Cole said unless there is going to be an untenable delay on the part of having Chief Gendron present, the Board is prone to make whatever adjustments is necessary, even if it requires them coming in on a Monday or Tuesday.

Selectman Jasper said he has commitments every Monday night. Selectman Seabury questioned if it was every Monday night. Selectman Jasper said yes, whenever he possibly can, but there are some that he misses. He'd rather not miss another one. Chairman Cole said the Town Administrator will coordinate with the members of the Board with regard to the best night prior to the 9th of November, based on availability. If it's a perfect world, they will all be present. Selectman Jasper said he'd be here on Monday, but would prefer not to. Selectman Seabury asked about Tuesday, but was reminded that the elections were on Tuesday.

Chairman Cole said in answer to Selectman Jasper's first question, they are scheduling the budget meetings on November 1 & 2.

F. **Shepherd's Hill Memorandum of Agreement**

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the Memorandum of Agreement with Shepherd's Hill Development Co., L.L.C. with regard to the completion of the club house, carried unanimously.

G. **Indemnification Agreement re Greeley Street Park v First Baptist Church**

Motion by Selectman Stewart, seconded by Selectman Jasper, to authorize the Chairman of the Board of Selectmen to execute the Indemnification Agreement re Greeley Street Park v First Baptist Church, carried unanimously.

9. **REMARKS BY THE SELECTMEN**

Selectman Shawn N. Jasper said a week ago Friday, he attended the grand opening of Harmony Real Estate on Lowell Road. They did a fantastic job on that building. It's nice to see an old, dilapidated building transformed into a beautiful structure. He congratulated them and wished them the best of luck.

Selectman Ann Seabury can't believe the skate park is such a success. Everyone is telling her how much the kids are enjoying it, and people keep donating towards it. Apparently Selectman Stewart, at a previous meeting, said something about the condition of the shutters at the Library Annex because Lee Lavoie said he would paint them.

She said the Fire Department ceremony was wonderful; very poignant, especially when they brought in the kids that had been saved during the past year. It was one of the most impressive awards dinner that she has ever been to and the Chief was named Fire Department Employee of the Year. There was a lot of love evident between the kids, their families and the fire fighters who helped them.

Chairman William P. Cole said he would echo Selectman Seabury's and Selectman Charbonneau's comments with regard to the Fire Department's award ceremony. It was an outstanding affair, well deserved by all the awardees. Based on the crowd and past history, they will need a bigger hall next year.

On behalf of the Board, he extended their appreciation to the Highway Department for the colorful autumn decorations around Town. A very nice job, which they have come to expect. He thanked Kevin and his troops very much.

10. **NONPUBLIC SESSION**

Consideration to enter Nonpublic Session under RSA 91-A:3 II (b) hiring

Motion by Selectman Stewart, seconded by Selectman Jasper, to enter Nonpublic Session under RSA 91-A:3 II (b) hiring of personnel carried 5-0 by roll call vote.

Nonpublic Session was entered into at 10:00 p.m. and was terminated at 10:07 p.m.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to hire Susan Doran as a full-time Dispatcher with the Hudson Fire Department, effective October 13, 2002, at \$12.72 in accordance with the Fire Fighters' collective bargaining agreement carried unanimously.

11. **ADJOURNMENT**

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to adjourn at 10:09 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