

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the September 9, 2002 Meeting**

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

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

**Staff/Others:** Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Steve Malizia, Finance Director; Toni Weller, Library Director; Library Board of Trustees: Mary Ann Knowles, Chairman; Arlene Creeden, Linda Kipnes, Sherri Lavoie, Jane Bowles and Lenny Smith; Frank Carpentino, Fire Chief; Shawn Murray, Assistant Fire Chief; Steve Dube, Fire Prevention Officer; Joe Triolo, Fire Inspector; Mr. and Mrs. Tony Triolo; Fire Capt. Clint Weaver; Torrey Demanche, Fire Executive Secretary (w/daughter, Kate); Helen Cheyne, Fire Secretary; Brian Surette, Call Fire Fighter; Dennis Hogan, Terry Hogan; Fire Dispatcher; Fire Lt. Dave Morin; Jason Gagne; Rick Maddox; David Bouchard; John Knowles; Anne Pramas, SUN; Anne Lundregan, TEL; Len Lathrop, HLN

**Presentation of St. Florian Medals**

Chairman Cole said that on behalf of the Board and the entire community, he'd like to present St. Florian medals to the men and women of the Hudson Fire Department. Florian was a third century Roman army officer, stationed in modern day Austria, and was also a martyr for Christianity. Legend has it that St. Florian saved a town from burning by throwing a single bucket of water on the blaze; thus, the association with fire fighters. Chairman Cole said the medals were presented with gratitude and with the sincere hope that St. Florian will keep everyone safe, protected and watch over them as they deal with the daily uncertainties of their profession. He then presented the following individuals with medals, each representing a different section or division of the department, who accepted on behalf of their contemporaries:

Dispatcher Dennis Hogan, Dept. Dispatch  
 Fire Inspector Joe Triolo, Fire Prevention  
 FF Brian Surette, Call Fire Fighters  
 Helen Cheyne, Administration  
 Captain Clint Weaver, Operations/Command Elements

4. **PUBLIC INPUT**

**Fire Fighter Steve Benton, 20B Pelham Road, re Boot Drive** – Fire Fighter Benton, Vice President of Professional Fire Fighters of Hudson, IAFF 3154, apologized for not being present when the request was made to the Board earlier in the year to hold MDA boot drives in Hudson. By the time they received the message that it was on the agenda, he was already committed to another meeting. He then thanked the Board for authorizing the fire fighters to do the boot drives every year. Last year, they collected \$16,000. This year, they collected \$17,770 and, for the sixth consecutive year, they were the highest collecting group of fire fighters in the State. He thanked the Hudson fire fighters and their families, Call fire fighters, Captains, probationary fire fighters and cadets and Amanda Knightly, who has Muscular Dystrophy, and her family. He also thanked Papa Gino's for donating pizzas one day, the Professional Fire Fighters Union for donating lunch and drinks every day, Andrea and the Bank of NH for counting all of the money and especially the people who put the money into the boots.

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

5. **CONSENT ITEMS**

Chairman Cole stated that A-1, Veteran's Tax Credit Application, has been withdrawn by the Assessor. He asked if any member of the Board wished to remove any of the items for separate consideration. Selectman Jasper said he would be removing all of the items. There needs to be procedures in place before they have a consent agenda. No one would have any way of knowing what the Board voted to do without going back through the records to read the backup material. There is nothing on the agenda to indicate whether they are approvals or denials. It will be a nightmare to track the intent of the Board. Regarding the discussion on Consent Items in the Minutes, it doesn't list the items that the Board agreed would be part of the consent agenda.

A. **Assessing Items**

- 1) **Veteran's Tax Credit Application** (13 Melissa Trail, Map 024/Lot 25/Sublot 076)

Item withdrawn, at the request of the Assessor.

- 2) **Application for Elderly Exemption** (17 Lawrence Road; 69 Wason Road, Map 11/Lot 37; 153 Old Derry Road)

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

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Selectman Charbonneau said Minutes of the consent agenda, including Assessing and Sewer items, Minutes, Licenses and Permits and the Calendar, would indicate action taken by the Board, whether it was approval or denial. She didn't think there was a problem and felt that a consent agenda was very good. If there is an item that merits further discussion, they can always pull it off.

Selectman Seabury said she was confused regarding the consent agenda. Chairman Cole said, at their last meeting, the Board approved changing the agenda format to a consent format. Selectman Jasper disagreed with the concept. Tonight, the items listed under Consent Agenda will be taken up individually because Selectman Jasper exercised his right to take each one out for discussion.

3) **Application for Service Connected Total & Permanent Disability Credit** (129 Ferry Street, Map 057/Lot 009)

*Motion by Selectman Charbonneau, seconded by Selectman Stewart, to grant the Service Connected Total & Permanent Disability Credit, as recommended by the Assessor, carried unanimously.*

4) **Abatement Application 01/02** (Bush Hill Rd, Map 21/Lot 25-3A)

*Motion by Selectman Charbonneau, seconded by Selectman Stewart, to grant a full abatement of \$673.37 for 02, plus any accrued interest/penalties, as recommended by the Assessor, carried unanimously.*

**B. Sewer Utility Items**

There were no Sewer Utility items.

**C. Licenses and Permits**

1) **Request by Michael Girouard for a Block Party Permit on Richman Road on September 21 from 10:00 a.m. – 10:00 p.m., with a rain date of September 22.**

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

2) **Request by Presentation of Mary to place signs on Town-owned land at the Veterans' Memorial Bridge advertising an Oktoberfest**

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to approve the request and refer to the Road Agent to insure proper placement.*

Selectman Jasper said perhaps the sign permit wasn't intended to apply to the situation, but there were lines for the Zoning Administrator and Building Inspector to sign off on, which they hadn't done. Chairman Cole recognized the Town Administrator, who said he didn't have an answer. Selectman Seabury said the sign permit application is for business people when they request permission to put up signs for their businesses. The department probably has just one type of form, but this group gets permission every year to put up a sign. Selectman Jasper said if that was the case, someone should have initialed in N/A at the bottom. Mr. Sharon wasn't sure if they've used that form in the past (not discernable). Selectman Jasper said if this is the form that is going to be used, there should be a sign-off by the Zoning Administrator or Building Inspector, or the Zoning Administrator should make a new form, or add a note that says it isn't applicable. Mr. Sharon said they could work on having several forms apply to different conditions. Selectman Jasper said although he is hesitant, requests like this have been approved in the past, so this isn't an oversight they need to worry about.

*Vote: Motion carried unanimously.*

3) **Request by Knights of Columbus for a raffle at St. John's Parish Center, 25 weeks from approval date, to benefit St. John's Church Charity**

*Motion by Selectman Charbonneau, seconded by Selectman Jasper, to approve carried unanimously.*

**D. Acceptance of Minutes**

**Minutes of the BOS Meeting of August 27, 2002**

*Motion by Selectman Charbonneau, seconded by Selectman Stewart, to accept the Minutes, as presented, and refer to file.*

Selectman Jasper said it's important that the items the Board approved being placed on the consent agenda be listed in the Minutes so that when research is done in the future, it will be spelled out—Assessing items, Sewer Utility items, Licenses and Permits, Minutes and Committee Announcements. Chairman Cole said they don't know how it will be illustrated in the Minutes and will never get there if the items are all taken individually. In the past, the Board has voted to approve multiple items with one motion, and that has been reflected appropriately in the Minutes. Selectman Jasper said the Chairman missed his point, which was the items that make up the consent agenda were not itemized in the Minutes of the last meeting. Chairman Cole asked if Selectman Jasper's issue was with the Minutes of August 27. Selectman Jasper said that was correct. Chairman Cole said that could easily be corrected.

Mr. Sharon said Priscilla transcribes Minutes nearly verbatim. He doesn't think Selectman Jasper wants something added that wasn't stated. Selectman Jasper said Mr. Sharon made his point better than he could have. Since no one was actually saying what the items were going to be, nothing showed up in the Minutes, except that the consent agenda was approved. That will not reflect the fact that Elderly Exemptions for specific people were approved, or block party permits were approved. Chairman Cole said those will still be listed. They will be taken from the agenda and inserted into the Minutes. Selectman Jasper disagreed and said if someone in the future wants to go back into the Minutes to find out the intent of the Board, they won't be able to. If it's not verbalized, it won't be there. The only record of what they do that has any lasting effect is the Minutes; and they need to reflect exactly the action they took. He's not objecting specifically to the idea of a consent agenda. He hasn't figured out what the procedure is, even though he has asked for it.

*Vote: Motion carried 3-1.* Selectman Jasper was opposed. Selectman Seabury abstained.

#### **E. Committee Announcements**

9/10 7:00 a.m. – 8:00 p.m. Voting @ Lions Hall  
 9/11 7:00 Planning Board in CD Meeting Room  
 9/11 8:30 a.m. 9/11 Observance @ Firefighters' Memorial  
 9/12 6:30 Recreation Committee @ Rec Center  
 9/12 7:00 Sewer Utility Committee in BOS Meeting Room  
 9/12 7:00 CALEA Workshop w/HPD & BOS @ HPD  
 9/12 7:30 ZBA in CD Meeting Room  
 9/14 9:30 a.m. Mayor's Roundtable  
 9/16 7:30 Library Trustees in Ferry Street Annex  
 9/16 7:30 Conservation Commission in CD Meeting Room  
 9/18 6:00 Benson's Committee in BOS Meeting Room  
 9/18 7:00 Planning Board & Zoning Board in CD Meeting Room  
 9/19 7:30 Budget Committee in CD Meeting Room  
 9/23 6:30 School Board in CD Meeting Room  
 9/24 7:00 Trustees of the Trust Funds  
 9/24 7:30 BOS in BOS Meeting Room  
 9/25 7:00 Planning Board in CD Meeting Room  
 9/26 7:30 ZBA in CD Meeting Room  
 10/2 7:00 Planning Board Workshop in CD Meeting Room  
 10/2 7:00 Joint Meeting w/SAU, BOS & Budget Committee @ SAU  
 10/7 7:00 Friends of Hudson's Natural Resources in CD Meeting Room  
 10/8 7:30 BOS in BOS Meeting Room  
 10/9 7:00 Planning Board in CD 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  
 10/16 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  
 10/23 Law Lecture Series  
 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  
 10/31 6:00 – 8:00 p.m. Trick or Treat

#### **6. OLD BUSINESS**

There was no Old Business.

#### **7. NEW BUSINESS**

##### **A. 2002 Tax Rate (Finance Director)**

*Motion by Selectman Charbonneau, seconded by Selectman Seabury, to use \$3,150,000 of the Town's \$7,473,764 surplus in support of a recommended tax rate of approximately \$17.44 per thousand, as recommended by the Finance Director.*

Mr. Malizia said with the re-val this year, the average value of all the properties was raised approximately 51%. The average single-family home went up about 60%. Using \$3.1 million will help to mitigate some of that increase. Last year, the average single family home assessed value was \$135,000. This year, it is \$214,000. If the Board approves the recommended surplus, it would set a tax rate of

approximately \$17.44. The average single family home property tax would go up about \$302. Some of the numbers are not final. There are certain revenues that the State gives, such as Rooms & Meals Tax. The Town's surplus is \$7,473,764 of which he is recommending to use \$3,150,000.

Selectman Jasper said, at the end of last year, they had approximately \$6.4 million, used \$1.2 million, leaving them with \$5.2 million. Now, in order to reduce the tax rate, they are reducing what was kept in surplus. Mr. Malizia said a little extra was kept last year to account for the re-val and there was some product that did not pass muster by the Town voters, i.e., combined dispatch. There were monies reserved last year which was not utilized.

(Start Tape 1, Second Side)

Selectman Jasper doesn't recall ever pulling so much out of surplus. The Town has been criticized for keeping so much in surplus and the answer was because of economic turns. Now it looks like "to heck with that," and just make the tax rate what they said it was going to be. Mr. Malizia said he was also looking at the percentages. Selectman Charbonneau asked about the bond rating. Mr. Malizia said removing the recommended amount would not affect the bond rating.

Selectman Seabury said this year was an extremely expensive year because of the new school. If the Town could still maintain that 8%, she'd like to see some of the money used to reduce the tax rate because this will be a tough year for a lot of the people. They are supposed to keep X amount of dollars in the budget to take care of unexpected expenses. She wanted to know if a balance of \$4 million would be sufficient. Mr. Malizia said they were talking about surplus, not an appropriation. Traditionally, the Town has put \$50,000 in a line item for emergencies. Selectman Seabury asked what the \$4 million was for and if they were obligated to keep a certain amount. Mr. Malizia said there are recommendations by DRA, the auditors and bond raters, but he's not aware of a statute that states a certain amount.

Selectman Jasper said they might not only be giving a false sense of where the tax rate will be headed, to take \$3 million this year is something they won't have available in future years. In the past, they paid for the highway garage with surplus. The Board had been on a track of being able to retain a certain amount of money from surplus to do projects. They haven't even looked at what have they done over the last few years to see where they are and where they are going. This may be a lack of planning because they are not really leaving any money available to do any capital projects. It is solely an issue of making the tax rate look good at the long term expense of the Town. They've got a lot of things they need to be doing. The Board had decided the best way to do that was with surplus, because they would not pay interest. They also haven't looked at their revenues, how they compare to what was budgeted and what was received in the last few years.

Mr. Malizia said at the end of FY-2002, automobile registrations were \$880,000 greater than budgeted. He can't predict what will happen next June, but he hasn't seen a drop-off yet. That is one of the biggest single revenue drivers, which may be an indicator of the general economy. Last year, there was a slowing down of building permits. He looks at the highway road tax and rooms and meals tax, but he hasn't seen those figures yet. If the State takes a hit, the Town does, too, so he low balls that number. He did not take into account any capital projects, but it is within the Board's purview to put money aside. It's good business practice to be within 5-10%. Absent any input as to a large capital project, this is how he came up with his recommendation. The Board can change it if they feel there is something they want to put money aside for. Selectman Charbonneau asked what the percentage was last year and the year before that. Mr. Malizia said it has been a steady 7½ to 8 percentage.

Chairman Cole asked what the parameters were for using the surplus. Mr. Malizia said the Board could vote to appropriate a building project or put it in a capital reserve fund for future large projects. They can't just take it out and spend it without having an appropriation. Selectman Charbonneau asked what the current debt was. Mr. Malizia said they have two years left on the police station and one more payment this year for some outstanding bond. There are lease payments on fire trucks and Highway vehicles that range for three of four years. Bonding will be pretty much done next year.

Selectman Jasper said he was in favor of the motion, but he wanted to make sure they explored one of the most important decisions they make. He didn't want the Board to say they wanted to do a \$1 million project, or worse, a \$200,000 project and bang that on the tax rate. If they are going to essentially use up what they have, then that should be the tone that is set for the capital projects for the coming years.

Mr. Malizia said when he goes to Concord in mid-October for setting the tax rate, he will have the final numbers for rooms and meals tax and other miscellaneous revenues. Last year, the Board gave him some latitude to use his discretion to reduce the amount of surplus used to compensate if they got more money. He asked if the Board would like to do the same thing this year. If the Town gets more money than anticipated, it can either go to surplus or towards the tax rate. The majority of the Board preferred seeing the excess go into surplus. Chairman Cole said that was Mr. Malizia's direction. He asked if Mr. Malizia anticipated coming back before the Board if there was some disconnect at the State level. Mr. Malizia said he hasn't experienced that in the past but, if there was, he'd put it on the agenda.

*Vote: Motion carried unanimously.*

**B. Use of 49 Ferry Street Property (Library Trustees)**

Chairman Cole recognized Maryann Knowles, Chairman of the Library Board of Trustees, who said over the last few months, the Trustees and Friends of Hills Memorial Library (FOL) have been pursuing the appropriate manner in which to respond to an issue concerning the use of Town-owned library property at 49 Ferry Street. On September 12, they are scheduled to appear before the ZBA

to answer a complaint that the FOL have been operating a business from that location in violation of zoning ordinances. The Trustees disagree with the characterization that the Friends' long-standing, non-profit fundraising activities are a retail operation and have stated their reasoning in a letter already submitted to the Selectmen. They also provided the Board with a copy of RSA 674:54 which details local land use, planning and regulatory powers. It defines governmental use as new construction or development or land owned or occupied or proposed to be owned or occupied by the State, University System or by a county, town or city, school district or village district or any of their agents for any public purpose which is statutorily or traditionally governmental in nature. The Hills Memorial Library is a public building that has been owned and operated for Town purposes for almost 100 years and is statutorily and traditionally governmental in nature. They also provided the Selectmen with documentation of their notification of their intent to use the property. Though it did not specifically mention fundraising with book sales, which has been held on library property for many years, it does state their intention to make available for traditional library activities, including use by the FOL. They notified the Board of Selectmen and requested the Town Administrator notify the Town's insurance carrier to provide coverage for such activities and complied with Fire Department directives to bring the building up to code for such uses. Their fundraising activities are similar to those conducted on other publicly owned properties in the same TR zone in Hudson, such as Lions Hall and two elementary schools. When the voters authorized the purchase of 49 Ferry Street, and the Board of Selectmen agreed to the intended use as additional library space, they met the requirements of the stated RSA. Reports have stated that the two complaints received by the Community Development Department, neither of which were abutters, pertain to special treatment the library received since they did not seek approval from the Planning Board. Unlike the skate park and firefighters' memorial, they made no changes to the exterior of the existing building, site plan or construction, other than interior compliance with life safety codes. It was not their intent to exempt themselves from any rule. They engaged in considerable consultation regarding their requirements and were never counseled to take further action. Had either of the complainants approached them directly, they would have been happy to discuss it with them. The Board of Trustees, Library Director and Friends of the Library seek only to serve the people of Hudson and continue the services and activities in which they have been engaged for many years. They hope to resolve this issue as quickly as possible and any further clarification would be appreciated regarding the RSA and Zoning regulations relative to Town-owned buildings. They hope the Selectmen will support their position at the ZBA meeting and clear the way for library-sanctioned activities, including fundraising at 49 Ferry Street. She asked for the Board's guidance.

Selectman Seabury said she thoroughly agrees, saying that this group has been put through the wringer. It is ridiculous for them to have to go before the ZBA to get a variance to operate three hours a month; and the variance goes with the land. Forever and a day, that particular piece of property will be spot-zoned. She doesn't know why this even became an issue. This is a public, non-profit entity that serves the community extremely well. The women volunteer their time and turn the money over to the library to be used for the good of the community. They had a site plan made up at the time of the sale.

Selectman Jasper concurred with Selectman Seabury. Although the Library Trustee's hope is to build a library using that site, none of them can be sure of the future. To get a variance for that property would be very short-sighted. He didn't really think parking was an issue and couldn't imagine the bookworms in Town coming out en masse. Going up Ferry Street this evening, there were cars parked up and down the street and traffic was backed up past Second Street because of the funeral home. Is there anyone that thinks a used book sale will draw a fraction of that? Mrs. Knowles said parking is also available at the Library, which is just a short walk away. Selectman Jasper said this group is being made to jump through hoops unnecessarily. He's not sure, however, that the Selectmen are in control of the situation. If so, they would have an issue they could control. They could go to the Zoning Administrator with the lawyer's opinion and say they are not going to go to the ZBA. Then the Zoning Administrator would decide whether or not he wanted to take it to court. If he wanted to do that, he'd have to come to the Selectmen for authorization and the Board would say no. Unfortunately, they are ending up spending a lot of taxpayer money on something like this. He doesn't disagree that the question of permitted use should be asked, but the Library is a separate body. The Trustees need to decide what to do themselves.

Mrs. Knowles said they are prepared to do that, but hoped the Selectmen would be supportive of their actions. They want to work with the Selectmen and hoped for input in terms of the appropriateness.

Selectman Stewart said they can't pick and choose. On July 28, 1998 a resident came before them relative to site plans on Town-owned land. He asked the Board to adopt an official policy that all Town-owned facilities must have a site plan and go through the Planning Board review process prior to any major change. Selectman Jasper had agreed, at the time, the Town has not been consistent in seeing things through on site plans, and he mentioned the gazebo. Selectman Jasper said if the Library Trustees were looking to put on an addition or construct a parking lot, he would agree. However, it is everyone's intention that this building will come down. It would be a monumental waste of money to go through the site plan process and spend engineering fees to satisfy this requirement and it won't have any effect. There is no construction going on. It's a matter of use, and a use that's not going to cause problems and won't go on forever.

Selectman Stewart asked if the Fire Department had to go through all of this when they built the administration building. Selectman Jasper didn't think the question came before them. There were people who felt it should, but whether Fire Administration decided to do that, he does not know. Selectman Seabury said they just bought the building and moved in. Chairman Cole said they were getting off the subject. Selectman Charbonneau didn't think there was a change of use with the Fire Department issue. They bought it, refurbished it and moved in. Chairman Cole said that while he was a big fan of consistency, reliving history doesn't help this particular issue. He asked Mrs. Knowles to frame what it was she was hoping the Board might do for them.

Mrs. Knowles said further clarification of the RSA's and zoning regulations regarding Town-owned buildings to support their position at the ZBA meeting and clear the way for library-sanctioned activities, including fundraising at 49 Ferry Street. They felt that the Selectmen were more expert in zoning matters and, before they appear before the Zoning Board, they have input from the Selectmen.

Chairman Cole wondered what road it would take them down if the Board were to invoke RSA 674:54 to allow the Friends of

Hills Memorial Library to conduct book sales at 49 Ferry Street. Selectman Stewart read part of the statute and asked if they had to follow all of it. Selectman Jasper said that's where he was having some difficulty because there are no changes in the physical structure or land. There are no plans to change. There is no construction. Selectman Stewart said there is a change of use from residential. Selectman Jasper said the only thing that would apply would be for the Board of Selectmen to hold a hearing within 30 days of receipt of notice. By early October, they would hold a hearing and present their plans. The statute isn't terribly clear and doesn't cover this type of situation very thoroughly. They probably didn't anticipate local government would get into this kind of fighting about book sales.

(Start Tape 2, Side A)

Mr. Sharon asked if Selectman Jasper considered this a substantial change of use. Selectman Jasper said he would, but he's not reading it in terms of use as they think of use within planning. It's not like turning a ball field into a dorm for 400 students. Nothing fits.

Mrs. Knowles said when they made their case to the voters for purchasing the property, it was made very clear that it was for library use. Selectman Seabury said the voters will be ticked off if they see the building sitting there, not being used after paying \$120,000 for it. She wanted to see the building used.

Selectman Stewart said the only way she would support this is if they hold a public hearing within 30 days, per the RSA. She added that the shutters need a paint job. Mr. Sharon said that the hearing could be done by this Board. Selectman Jasper agreed.

*Motion by Selectman Jasper, seconded by Selectman Seabury, that the Board of Selectmen agrees that RSA 674:54 applies to the library annex building and, as such, the Board shall hold a hearing within 30 days relative to the use of that property by the library carried unanimously.*

## 8. **OTHER BUSINESS**

### A. **Benson's Committee**

Selectman Seabury said questions came up at the last Benson's Committee meeting that she was unable to answer. Apparently, she hasn't been doing her job as liaison too well. At the last meeting, they were using her as a whipping boy. From now on, when she goes to a Benson's meeting, she will try to give the Board an update of her perception of their concerns. They will be meeting in a couple of weeks to brainstorm and work out a site plan, but she hasn't really been following through on this with administration. She gathered that the efforts they are going to focus on will be relocating the train station. She expressed concern for the Community Development Director, who recently lost both of his parents, plus received resignations from both the Town Engineer and Town Planner. He is trying to coordinate Zoning Board and Planning Board meetings and she is surprised he has not thrown in the towel. Curt Laffin had wanted to talk with him, but spoke instead with the Town Administrator. A major concern is the LCHIP grant, but they can't overwhelm the Community Development Director with extra duties by overseeing the LCHIP grant, and the committee doesn't feel comfortable overseeing the grant. They received monies in the \$20,000 range, she thinks, and they only have a year to spend it or they lose it, and a month has gone by already. She thinks it is to work on the trail, which will have to be a new one because they can't do the one they intended because of DOT mitigation work. She is not sure how the LCHIP grant money is handled, but someone has to administer it.

Another concern the committee had was Curt no longer being a consultant, and they need a consultant to get more grants because there is money out there to be had. She thought the Town still had a grant writer, but they committee said they didn't. The next day, she talked with Mr. Sharon. They were looking to hire Curt to do the grant writing, but Mr. Sharon said they do have a grant writer. Mr. Sharon clarified that he had said they have the capability of using the grant writer they had, if he writes his grants such that he gets his fee from the proceeds of the grant. That can be done because they've done it before they had a grant writer on staff.

Selectman Seabury said she thought the Selectmen were getting copies of Mrs. Jasper's minutes and that's why she never shared information. Chairman Cole said he received them. Selectman Stewart said she does not receive them; Selectman Charbonneau said she received them only when she was on the committee. Selectman Seabury said she would try to get that information to the Board. In two weeks, they are going to meet again and do a site plan. She wondered if someone in the Finance Department should take care of the LCHIP grant. Mr. Sharon said the Finance Department has a role in taking care of grant money, but someone needs to manage the process. He will discuss this with the Community Development Director to insure that the Planner from NRPC will have a role in the grant process.

Selectman Seabury said now that they have a chunk of change, someone from the committee has to come before the Board and say, "Johnny Jones is going to be in charge of the trails and we are going to build the trails with this money. We need a check for \$15,000." Mr. Sharon said it needs to be done within certain parameters. Selectman Seabury said so now it's up to the committee to find Johnny Jones to do the trails. If they get someone, such as the chairman to do the trails, then he can come in with the bill, such as for stone dust for the trails, and the Town will pay it. Selectman Charbonneau said it has to go out to bid. Mr. Sharon said it has to be pre-approved.

Chairman Cole asked if the committee will come to the Board with the plan that is going to generate this expenditure. Selectman Seabury believed so, but it wouldn't be a professionally engineered plan. They have got maps and are going to do a little section with the train station and will get somebody to dig a hole. They can't use grant money for that, so will have to find a transportation grant. She asked how they were going to get a grant writer, or if they should invite the grant writer to the Benson's meeting and ask the grant writer to run a grant through the LCHIP program again and this time do the train station. Mr. Sharon said under the general umbrella approval of the Board of Selectmen. Within that framework, they would say, "let us get in touch with a grant writer to sit down with you to define what grant you want." The grant writer will submit a proposal to the Town (not to the committee) to perform the work and

incorporate whatever fee he or she would expect within the proceeds of the grant.

Selectman Seabury said she'd have to think about this for awhile to decide what direction to go in. She guessed they'd have to work with NRPC, the grant writer and the committee.

Selectman Jasper said he was about to blow a gasket when it comes to the issue of grant writers. They had a grant writer. They paid him \$25,000 a year. He's not sure he got the Town that much money in grants for the whole year. The Benson's committee did a tremendous amount of work themselves on the Benson's grant. There were constant revisions to the grant writer's original submittal by members of the committee. The first grant that was applied for relative to Benson's was turned down and the people in charge of the grants had nothing complimentary to say about how that grant was applied for. Now they are talking about going back to someone who, in his opinion, turned out to be an abject failure in grant writing for the Town. They spent a lot of money and got nothing, and now they're talking about bringing him back. They've got Mr. Laffin, who was paid \$3,100, who was talking to this Board about doing grant writing for this project. Selectman Jasper said he is beside himself on this. They already have the perfect person, who has intimate knowledge of the project, wrote a blueprint for development of the project for the Board, which the Chairman said he wanted, and the Board has snubbed that person who has all the qualifications they are looking for to do what they are looking to be done.

Selectman Charbonneau said Betsy, from NRPC, did the largest share of work on the grant and she had a lot of input to the committee. She and Gordon Leedy were exceptional. She thinks they should look to NRPC for writing grants because they know what's out there. A grant writer will take a certain percentage, if they receive the grant. She vaguely remembers that Mr. Coogan did get one grant for the trails and Betsy worked with him on it. When they first started out and when Mr. Laffin came up with a plan, they should have had a plan where they were going to move the station—get someone to dig the whole, make sure where they were going to place it, the whole nine yards. They had someone who was going to put a roof on the station and move the it. That's a no-brainer. That's very easy to do. Then they are going to have to divide the districts. She's not saying Mr. Laffin did not do his job, but they should have concentrated on one district. There is money out there and they will get the money, but there definitely has to be a plan. When she went over some of Mr. Laffin's plans, a lot of that Gordon Leedy already told them what that was going to be and what they were going to have to do. They should work with NRPC because they can help tremendously.

Selectman Seabury asked if they had to pay NRPC for their work. Mr. Sharon said part of what the Town pays in fees covers technical support, and that is given out pretty liberally, especially for a community like Hudson that doesn't use them as much as Hollis or Amherst does. But if it's for something extraordinary, usually they will ask for something. Selectman Seabury said members of the committee asked her to encourage the Board of Selectmen to reconsider Mr. Laffin as a consultant. The committee speaks to her about different ideas and bounce things off of her, but she didn't have answers to some of the questions. That's why she was asking about grants. They have to find somebody to dispense that money and how to go about it.

Chairman Cole said the Town wasn't carrying a grant writer on retainer. Any future grant activity can be farmed out by RFP. Regarding the process and management of the money, the Benson's Committee is an ad hoc committee that serves at the pleasure of the Board of Selectmen. Before any monies are expended on anything, the Benson's Committee should come to the Board and show the Selectmen the plan, with emphasis on *plan*—not the idea, the concept, the hope, the wish, the prayer or the dream—the plan that shows why X number of dollars are going to be expended so the Board can vote on it. Selectman Seabury thinks they understand that. She will bring this up every month, reminding the Board they have the money and will have to find a way to spend it.

#### **B. Apology to the Board**

Selectmen Stewart and Charbonneau apologized to the Board for missing the presentation of the St. Florian awards, but they were attending the wake of Mr. Burton and they wanted to pay their respects.

#### **C. Last Week's Tragedy (Shooting on Derry Street)**

Selectman Jasper expressed his sympathy to everyone who was involved in one way or another in last week's tragedy that occurred, in part, in the Town of Hudson. He understands the investigation is on-going but people have some valid concerns, and he shares those concerns. He reminded everyone to vote tomorrow between 7:00 a.m. and 8:00 p.m. at Lions Hall.

(Start Tape 2, Second Side)

#### **D. Upcoming Meetings (Chairman Cole)**

**9/11 Observance** is scheduled for 8:30 a.m. at the Firefighters' Memorial on Wednesday, 9/11/02.

**CALEA Workshop** – (accreditation process) at HPD at 7:00 p.m. on Thursday, September 12.

**DOT Commissioner** – He, (Chairman Cole) and the Town Administrator will meet with the DOT Commissioner on September 17 to get an update on the transfer of the Benson's property to the Town.

**Attorney-Client Session** scheduled with the Selectmen and the Planning Board at 7:30 p.m. on September 17 in the Community Development Meeting Room.

**Working the Polls** – Tomorrow, the polls open at 7:00 a.m. and he (Chairman Cole) will be there. Selectman Charbonneau said she will be there from 1:00 p.m. on.

9. **REMARKS BY THE SELECTMEN** (Covered under Other Business)

10. **NONPUBLIC SESSION**

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to enter Nonpublic Session under RSA 91-A:3 II (b) hiring of personnel carried 4-1 by roll call vote. Selectman Jasper was opposed.*

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Nonpublic Session was entered into at 9:05 p.m. and was terminated at 9:07 p.m.

*Motion by Selectman Jasper, seconded by Selectman Stewart, to hire Ed Peterson for the fee of \$900 as the 02/03 Instructional Program Basketball Director and hire David Yates for the fee of \$3,200 as the 02/03 Basketball Director carried unanimously.*

11. **ADJOURNMENT**

*Motion by Selectman Jasper, seconded by Selectman Stewart, to adjourn at 9:09 p.m. carried unanimously.*

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

**HUDSON BOARD OF SELECTMEN**

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**William P. Cole, Chairman**

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**Rhona Charbonneau**

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**Shawn N. Jasper**

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**Ann Seabury**

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**Teresa Stewart**