

HUDSON, NH BOARD OF SELECTMEN

Minutes of the March 26, 2002 Meeting

Selectmen's Meeting Room
12 School Street, Hudson, NH 03051

1. **CALL TO ORDER** by Chairman Seabury at 7:30 p.m.

2. **PLEDGE OF ALLEGIANCE** led by Selectman Charbonneau.

Chairman Seabury welcomed the newest member to the Board, Bill Cole. He served as a Town Councillor and then, after the transition back to the Selectman form of government, as a Selectman.

3. **ATTENDANCE**

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

Staff/Others: Paul Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Rob Desmarais, Town Engineer; David Yates, Recreation Director; Ed Caban; Becky from the Girl Scouts; Richard Gendron, Chief of Police and Capt. Ray Mello; Frank Carpentino, Fire Chief; Shawn Murray, Assistant Fire Chief; Gary Rodgers, Deputy Fire Chief; Joe Triolo, Fire Inspector; Bob Longo, Fire Safety; Benson Committee members Gordon Leedy, VHB; Nancy Mayville, DOT; Curt Laffin, Laurie Jasper, Esther McGraw; Planning Board members Suellen Quinlan and Rich Maddox; Budget Committee Members Howard Dilworth, Jr., Charlotte Schweiss, Fred Giuffrida, John Knowles, Ted Luszey and Joyce Goodwin; Steve Haight from Herbert Associates; Dennis Shaughnessy, SUN; Ann Lundregan, TEL; Robin, HLN

4. **PUBLIC INPUT**

Fred Giuffrida, 14 Pinewood Road, said at the Selectmen's meeting on March 11, a day prior to Town elections, the Chairman of the Board of Selectmen made a campaign speech regarding the dance hall ordinance. The Chairman cast aspersions on his character and integrity, giving the impression that he was a flake and 100% wrong, that he was trying to mislead the voters and she continually referred to him as the Budget Committee member. On this issue, he has always spoken as a resident. At Town Meeting, he used the floor mike, unlike others who spoke from behind the authority of the podium at the front of the room. When he wrote his letter to two local papers, it was as Fred Giuffrida, not as a Budget Committee member. He asked Mrs. Seabury to use his name if she comments on him in the future. In his letter to the newspaper, he commented on several things the dance hall ordinance did before it was amended at the deliberative session. This ordinance was presented to the public severely flawed and it should have been resubmitted next year. He said in his letter, "Even after all the amendments, the ordinance probably still makes it illegal for a father to take his toddler daughter into the Men's Room. What worries me is the nagging feeling that any law in which a half dozen flaws can be found by ordinary citizens in about 15 minutes should really be studied further." He didn't see any blatant flaws in the amended ordinance, but he isn't a lawyer. However, the word entertainment is never defined in the ordinance. Restrictions, ¶ B ends with "and," with no period or additional text. The ordinance presumably would apply to any place where people can go for entertainment that holds more than 100 people. He wouldn't feel comfortable taking his three-year old daughter into the Men's Room, but would never allow her to go unaccompanied into the Ladies Room. If a mother takes her infant son into the Ladies Room to change his diaper, the owner of that establishment could have his license revoked. There is no age restriction in the ordinance. It's not a good idea to put vague laws in the hands of undetermined future police forces. If the Town's attorney will say specifically that he is incorrect in his reasoning, he will issue a public letter of apology.

John Knowles, 51 Quail Run Drive, said at a Selectmen's meeting after the Town's deliberative session, in the context of a complaint about the Budget Committee's failure to recommend a number of articles supported by the Selectmen, one of the Selectmen made some disparaging remarks about the Budget Committee and about him, in particular. He wouldn't object to be taken to task for the positions he has taken on warrant articles, either as a member of the Budget Committee or as a private citizen, as his positions have been public and correct, given the information available at the time. The comments made at the Selectmen's meeting, however, went beyond disagreement and suggested he was somehow involved in behind the scenes actions that were inappropriate and perhaps unethical. He never participated in any sort of setup deal. At Town Meeting, he made several motions as a private citizen to change some of the articles proposed by the Selectmen. Those motions were, with one exception, based solely on his personal opinions. The only exception was his participation in an attempt to present a compromise amendment to the article on non-union salary increases. That came about because two citizens had independently decided to amend that article. When it became clear they had similar but differing amendments, the Moderator requested a recess so they could try to arrive at a compromise. They discussed what to propose in the lobby of the school, where many people could hear them, not behind anyone's back and it was hardly a done deal in advance. Some people have apparently been spreading malicious gossip about him behind his back. His honor, sense of ethics and dedication to an open, deliberative process are being questioned without giving him a chance to respond. Statements questioning the honesty and ethics of a private citizen were made by an elected official at a public meeting. He was never offered an opportunity to refute the allegations. He would never have known about this had he not heard about it from several people who saw the tape of that meeting. He hoped that this Board and all public officials consider these events with the intent of avoiding any similar situation in the future. Civil and reasoned discourse is vital to this form of government and personal attacks on citizens who volunteer their time and efforts to perform their civic duties, especially when the attacks are based on unfounded rumor, serve them all badly.

Chairman Seabury read a quote, which she said was apropos: "I speak the truth, not so much as I would like, but as much as I dare--and I dare a little more as I grow older." When she says something, it is from her. She doesn't go around making innuendoes. If she sees something that is wrong, she is going to say it is wrong. What was done was wrong and she was not going to let it continue. It's unfortunate if anyone has a problem with that.

5. **CORRESPONDENCE RECEIVED**

- A. From: Kathy McKenna, Town Planner
Re: Greeley Street Drainage Improvements, Greenleaf Estates Subdivision
Refer to: Old Business
- B. From: Lee and Sandra Vogel
Re: Highland Street Culvert
Refer to: Old Business
- C. From: Gerald Coogan, Grant Writer
Re: Authorization to Submit Land and Water Conservation Fund Application
Refer to: New Business
- D. From: Girl Scouts of Swift Water Council
Re: Use of Robinson Pond for Day Camp
Refer to: New Business
- E. From: David Yates, Recreation Director
Re: Acceptance of Money
Refer to: New Business/Public Hearing
- F. From: David and Renee Wentzell
Re: Contested Water Bill
Refer to: New Business
- G. From: Steve Malizia, Finance Director
Re: Bid Recommendations--Thermal Imaging Camera and Logging Recorder (Fire Dept.)
Refer to: New Business
- H. From: Frank Carpentino, Fire Chief
Re: Fire Safety Program & Proposal to Reallocate Command Trailer
Refer to: New Business
- I. From: Ruth M. Parker
Re: Resignation from Land Preservation Committee
Refer to: File

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to receive the Correspondence, with appropriate referral carried unanimously.

6. **OLD BUSINESS****A. Benson's Master Plan Presentation and Public Hearing**

Chairman Seabury recognized Benson's Committee members, Curt Laffin, Esther McGraw and Laurie Jasper. She also recognized Gordon Leedy from VHB, who created the Benson's Master Plan and Nancy Mayville, Project Manager, DOT. Mrs. Mayville said the DOT bought 165 acres in 1992 as a wetlands mitigation and habitat preservation site to offset the wetlands impact of the circumferential highway. Since that time, the Town of Hudson and DOT have agreed that Hudson would acquire the property, with covenants, that will preserve the natural and historic features of the property, including no impact to wetlands, protecting the habitat areas surrounding the wetlands, using and restoring the historic buildings in the spirit of preserving the historic values of the buildings, particularly the exterior and settings, the property shall not be subdivided in the future and there shall be no commercial or outdoor advertising devices. The NH DES Historic Resources and the DOT shall have the opportunity to review any proposed alterations to the property and the buildings. The value of the property transferred will reflect the restrictions. They understand that Hudson envisions developing the site as a Town park and the State has assisted in developing the Master Plan for future development of the park. In the summer of 2001, there was a Memorandum of Agreement executed by the Town and the DOT that formalized the process of the property transfer, outlining the restrictions and allowing the Town to work towards securing the site. The transfer could be completed early in 2003. Over the next year, DOT would begin to construct and restore 38 acres of wetlands in two major areas of the property. The first eight acres will be started later this spring and then other construction will follow over the next few years.

Gordon Leedy, Landscape Architect and Planner with VHB, said they were retained by DOT to prepare the Master Plan. This represents an opportunity to do something great for the Town of Hudson, and for the State. The Benson property has a long, illustrious history. He used several display maps during his presentation. They started about 10 months ago, after the Board of Selectmen established the committee. They looked at the property to understand the existing conditions and to prepare a site analysis and develop ideas of what they want to accomplish--the program. They developed a number of alternatives and met in October to review the conceptual plans and invite the public to come in and see things and comment. Out of that and a number of questionnaires, there was tremendous response. From that, a final master plan was developed, along with a Capital Investment Plan which assigns a cost to the elements in the plan. The implementation is critical because oftentimes plans just sit on the shelf.

Some buildings on the site have been taken down because they weren't deemed historically significant and because of dilapidation. Remaining on site is the office building, the elephant house, the gorilla house with the cages still intact and a concession building. The site breaks out into three separate areas: the historic area where the activity in Benson's was concentrated; a valley that runs through the center of the site that contains a lot of the wetland areas that DOT is interested in; and the large, forested hillside area that represents a significant because it's a good habitat area, as well as a nice wooded area that might be used for walking trails, etc. On the southeasterly side of the property is the old Haselton Barn, which is a historically significant structure, rumored to be an 18th Century barn. There is a large open meadow adjacent to that, separate from what is considered the Benson's Animal Park property, with an extensive wooded area that sits between that and the valley.

The dark green area on his map was identified by DOT as existing wetlands that could be restored or areas of the site that had been wetlands at one point, or the opportunity to create wetlands. A significant portion of the site will be devoted to wetlands or conservation wetland recreation. The historic Benson's area is the nexus for activity relative to passive recreation, by agreement with DOT. There is a zone where they may want passive recreation and then there is the natural area where there might be walking trails, biking trails or cross-country skiing trails, but no developed facilities. There were nodes of special interest—the area adjacent to Swan Lake where the old animal performing ring used to be; the crossroads area at Kimball Hill Road and Route 111; and the Haselton Barn area. There are four logical points for concentrated activity and then zones of activity that radiate out from the historic Benson's area. He indicated the concept plans that reflect the site analysis and the opportunities of the site, the program elements. One concept was developed going from a minimal approach to development to one that was fairly aggressive and one in between. The committee decided which elements were to be incorporated into the final Master Plan, taking into account input from the public.

It was never envisioned to be a place where intensive, active recreation would take place. Part of the charge from DOT in their MOA was to maintain the character of both the historic structures that might be on the site and of the environment those structures sit in. The plan keeps automobiles out of the park, which would disrupt the pastoral feeling of the property. It also tries to lend some sort of organization to the active historic area by creating a town green with the office building, elephant house and a reconstructed red barn building. The buildings can be used for a variety of functions, ranging from a Senior center to museums where artifacts from the old Benson's could be displayed to assembly spaces for community concerts or facilities for offices for a variety of non-profits. There are various ways these buildings might be funded and used, always keeping in mind they have to be historically appropriate, at least the exterior appearance.

There is a link to the north field area, which is a re-graded version of what is there today. There would be areas of maintained grass for open play, with picnic pavilions situated around the edges and providing a visual link by doing some selective clearing of the valley area. There are old overlooks which are proposed to be rebuilt. Adjacent to the historic area is the Old Woman's Shoe with remnant interesting landscaping materials. As part of the process, they are asking that that be identified and the setting for that could be restored to what it was when Benson's was active.

(Start of Tape 1, Second Side)

There is a semi-circle of trees there and a hillside behind it, so it's a natural setting for an amphitheater. Swan Lake could be used for various recreational activities, such as model boating but it's not large enough for canoeing or paddle boats. In the winter, it would be great for skating and they could add a warming hut.

In the south field area, adjacent to the Haselton Barn, they are proposing a small parking area, a couple of picnic shelters, a playground and some recreational field space. It wouldn't be programmed like a recreational complex, but it would be appropriate for practices and for family recreational use. It is flat and separated by a line of trees from the rest of the property. In a way, Hudson really gets two things from one property. They get the historic, pastoral feel of the open front section that's visible from Kimball Hill Road and another section functions like a neighborhood park with informal ball fields, play space and picnic facilities. The plan of the committee was to make the Haselton Barn a finished building for displays of farm and fire equipment.

For the remainder of the property in the valley and upland area and out in the field area on the front portion of the site, it is envisioned to have natural and interpretive trails, particularly around the wetlands so people can learn about the wetlands, in concert with the DOT's program of establishing restored wetlands. The front area is the welcome center, at the corner of Route 111 and Kimball Hill Road. There is an old B & M railroad station that was moved behind the office several years ago. This site could be used for a Chamber of Commerce facility, a welcome center for the Town, or some other civic function with a small parking area that would access the trail system that goes around the entire front portion of the property.

The idea behind creating the Master Plan was not only to find uses for all of the different areas of the site but to develop a plan that could be phased logically. The order of development is up to the Town and what sort of funding is available, where it comes from and what it is for. There are various grant mechanisms that could be used for development of different kinds of facilities in order to leverage the Town's money to develop the property.

They broke the property into 12 areas. They are the historic area, the north field area, the south field area, the ravine area, the amphitheater, Swan Lake, a primary parking area, the gorilla house, the welcome center, Kimball Hill loop, the lower nature trail area and the nature trail loop area. All of these facilities were broken out in a cost estimate and each one of them was given an itemized cost. (He noted that the amount should be \$6.3 million, not \$5.7 million.) In addition, there is a matrix called a Facility Prioritization Matrix with 12 criteria for grading each project. The committee took every element of the plan and graded each of the items according to their criteria. This will serve as a basis prioritizing projects.

Chairman Seabury opened the Public Hearing at 8:12 p.m. and asked if anyone wished to speak.

Ted Luszey, 13 Cathedral Lane, asked about funding, but his question was not discernable. Mr. Leedy said whether or not the Town moves forward with the acquisition and development of the property, the DOT is committed to creating a certain amount of wetlands on the property and to a relatively long-term program of maintenance. The remainder of the property would stay with DOT and would not become commercial. Mr. Luszey said he didn't see wetland reclaiming in about 25% of the usable property and asked if DOT would consider selling it off to private industry to reclaim the cost of the wetland reclamation, if the voters choose not to fund Benson's. Mrs. Mayville said the State will not be dividing off or developing in any way. That's part of the reason for the restrictions they are putting on the use of the property. They are not asking the Town to do anything different than what they would do. Mr. Leedy said the DOT is committed to preserving the functional values of the wetlands. Without an active interest being taken and some money being spent, the buildings will be lost. Already, trees are growing up in the pavement. Whether all or a portion of the projects outlined in the Master Plan will happen, it's a tremendous opportunity for Hudson to have open space at relatively low cost. Mr. Luszey asked if the \$6.3 million included the purchase of the property. Mrs. Mayville said it doesn't. They don't have an exact number yet, but they are in the process of doing an appraisal. Putting restrictions on the property will severely reduce its value. They paid full price for commercial property that could be developed. She believes the final number will come out at an extreme reduction.

Debbie Putnam, 59 Rangers Drive, asked if there was any interest by the State to make a park available to all residents instead of Hudson funding it all. Mrs. Mayville said they haven't explored that with other State agencies. DOT itself isn't in the business of running and maintaining State parks.

Fred Giuffrida, 14 Pinewood Road, asked for a rough idea of what the property will cost the Town and what the State paid for it. Mrs. Mayville said she has already used strong words like severe and extreme to try to convey how much the property will be reduced. The State paid over \$4 million for it because it had development potential. That potential will be gone, which the State will absorb. Mr. Giuffrida asked if there has been any consideration of the yearly cost of maintaining the property. Mr. Leedy said an analysis of operations and maintenance costs wasn't included. There is a stepped up police presence around the site and the Town put in some lighting to secure the buildings because of vandalism. The report recommends that the Town either establish a department or increase staff to handle a property of this size. If the majority of the property is natural with walking trails, an officer may patrol on a bike or with a cruiser, or maintenance vehicles may go through. It depends on how ambitious the development of the property is. That's also why they tried to keep the more intensive part of the development to the periphery of the site so it's accessible to the roads and can be watched over by people driving by or residents in the area. Mrs. Mayville said the property is under the oversight of the Bureau of Turnpikes of DOT because it was purchased with turnpike funds and the circumferential highway is going to be a turnpike facility. One turnpike spokesman will be there at least once a week, monitoring and surveying the site. They also undertook a few years ago a comprehensive demolition and cleanup project and cleaned up many hazardous materials on the surface, as well as other safety hazards that existed on that property.

Charlotte Schweiss, 28 David Drive, wondered if Hudson would have to pick up the cost of the wetlands that had been filled in by Benson's. Mrs. Mayville said the State will be doing the actual construction and restoration of the wetlands, about 38 acres. In the spring, they will start with the first eight acres. If the wetlands don't turn out right, it will be the responsibility of the DOT. Mr. Leedy said some of the facilities that are envisioned in the Master Plan could be accomplished in concert with DOT's wetlands program. While they are not in the business of building trails, they will be putting in access to the wetlands. Working in partnership with the DOT would be in the Town's best interest.

Ted Luszey, 13 Cathedral Lane, said the Town desperately needs recreational fields and he wondered if the State would ease the restriction on putting in only non-organized fields. Mrs. Mayville said that restriction isn't DOT's. They are looking for this not to be kept in a natural state. How that happens is up to the Town. Mr. Leedy said from a planning and design perspective, they were looking at a modification of the site that would be required to install formalized ball fields in significant portions of the property. The field area in the center of the site has quite a bit of topo to it. The committee felt it would be inappropriate to terrace that area, but the area by the Haselton Barn would be an appropriate area for some field development.

Chris Barry, 53 Pelham Road, wondered if this could be used for scouting, such as camping overnight or daytime events. Mr. Leedy said absolutely. In part, that's what they envisioned for the property, to get people out into a natural setting and provide those opportunities. The look and feel of this was patterned after Greeley Park. Mrs. Mayville said the detail of use is really up to Hudson.

Debbie Putnam, 59 Rangers Drive, said the DOT wants this to be a light use area. Thus, they would have to approve any proposed use. She asked if the Town was supposed to monitor the level of use of the property and the number of people per day that use it and if it was going to be limited only to Hudson residents. Mr. Leedy said when the great urban parks first started in New York, Boston and Chicago they were open spaces, with gardens and natural places for people to get away from oppressive urban environments. As people's lives have gotten more programmed, so have the public spaces. Parks have come to become very programmed, with specific facilities for baseball, football, etc. Those are recreational facilities more than they are parks. This is more like those classic parks, with walking trails and multiple use facilities where people might be able to do unprogrammed things, like throw a football around. The use of the park is going to be limited because there are limited facilities there with limited parking. They could also plan for specific events, such as at the amphitheater or an art-in-the-park program where they need to develop temporary facilities for parking.

(Start Tape 2, Side A)

Richard Maddox, 323 Fox Run, asked what would be done to maintain the buildings and do more to protect the structures that are there until the money becomes available. Mrs. Mayville hoped the transfer of property would occur within the next year to 18 months. Mr. Leedy said there has been significant work done on at least providing temporary stabilization of the buildings. A fairly significant stabilization was done to the Haselton Barn on DOT's ticket. Some work has been done, but more is needed to really stabilize the

buildings, provide ventilation and do some work on the roofs. Those costs and the work to do a historic assessment of the buildings has been identified in the report, which is significantly less than what it would cost to restore the buildings. If they are stabilized, the buildings can sit there with not a lot of maintenance work done to them for a fairly significant amount of time without deteriorating. If they aren't stabilized, they will fall apart pretty quickly. There is a commitment on the part of the Town to take on the project to expend some money to deal with the buildings and the property.

- Dana Sion, 10 Windham Road, wondered why the State Parks Department doesn't have anything to do with this. Mrs. Mayville said the Town approached the State about acquiring the open space for the Town, not vice versa and open space is at a premium.

- Ted Luszey, 13 Cathedral Lane, said it seems a portion of the land is being used for wetlands and the larger area of the site could be under the ownership of the State and operated by the Parks Department instead of the Town being responsible for that area. Mrs. Mayville said when they leave the site, they will have left the trail system in place around that whole 10 acres of wetlands, so they will have made an investment to get the Town part way to what they are envisioning in that corner of the property. The State has a long-term commitment to maintaining the wetland system. They are not envisioning paved trails, but stone dust trails. Mr. Luszey wondered if it was true historic value, or just nostalgic value. Mrs. Mayville said it's true historic value. The property is a good example of the early part of a 20th Century zoo. When they first started looking at this property in the early 1990's, it had a potential as a historic district as opposed to just specific buildings. Because they moved ahead and did the demolition, the historic district is gone, but there are still three or four buildings that do have historic value, such as the Haselton Barn, elephant house, the office building and the railroad station. Those four properties still have their historic value in them and have the potential to be on the State Register of Historic Buildings.

- There being no further questions or comments, Chairman Seabury closed the Public Hearing at 8:40 p.m.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to accept the Benson's Property Master Plan prepared by VHB dated March 6, 2002 and send the Master Plan to the Planning Board for consideration as an amendment to the Town of Hudson 1996 Master plan carried unanimously.

- Chairman Seabury thanked Gordon Leedy and Nancy Mayville for all of their work. Selectman Jasper said this was a wonderful document, but just the first stage. They now need to focus on the step, which they could discuss tonight or on a future agenda. Chairman Seabury said the committee itself was kind of disbanded. Selectman Jasper said he was the original maker of the motion to have the committee develop a site plan, which hasn't been done yet. The next step is breaking this down into the various phases and actually putting the components in there. In order to do that, it involves engineering and technical assistance beyond what is here. He didn't see the current committee's charge as being anywhere near finished. Chairman Seabury asked if there was more discussion. There was no response.

Motion by Selectman Jasper, seconded by Selectman Stewart, to put a discussion on the next phase for the Benson's Committee's charge on the next agenda carried unanimously.

B. Highland Street Culvert

Richard Maddox, Planning Board Vice-Chairman and Planning Board member, Suellen Quinlan, were present to update the Selectmen on the Highland Street culvert issue. Mr. Maddox said about a year ago, the Selectmen charged the Planning Board with having a study done to find out what the problems were in that area. A study was done and a report generated. The Conservation Commission has gone to visit the site, but he has not seen a written report. Mrs. Quinlan said someone came up with a number of how much water was going to go on to Mr. Vogel's site. Her understanding was there were a number of things the Board of Selectmen had deliberated about in respect to how to help the drainage problems on this site. It was originally a three-phase development, going back to the 70's or 80's. They charged the Town Attorney with reviewing all of the documents that comprised the three-phase development. What the Planning Board had approved was what the Board of Selectmen had said was a solution to this, but her concern and Mr. Maddox' concern (the only two hold-outs against the plan) was because Mr. Vogel indicated he was going to take legal action against that Town because he had not received his due process. He wasn't originally on the list of abutters to receive notice of this project of Greenleaf Estates, a plan the Planning Board has been struggling with. He also submitted a letter dated February 15 to the Planning Board. She didn't know if he came up with this number on his own or whether or not it was Conservation that told him he'd be getting some astronomical number of gallons of water a day going on his property and he also indicated that Town officials said there isn't going to be any erosion on his property. George Hall happened to mention, as they were getting ready to approve the plan, that someone should notify this guy that he'll be getting a whole bunch of water dumped on his yard, so they did and the resident came in, very upset. This is a plan that affects a Town road and the Planning Board tries not to do anything that will interfere with the Board of Selectmen with respect to how Town roads are modified. It would appear that Phase 3 is a plan that puts the onus on the developer to correct the drainage problems in Phase 1 and 2 and that is based on the history, and documents that have been reviewed. Approving a plan that is going to result in litigation for the Town is not good planning. If the Selectmen just want the Planning Board to approve the culvert, that is fine, but it's not going to alleviate any of the problems on Phase 2. These residents have been very vocal and have attended every single meeting, begging the Town to help them. In looking at the documents, there is more they could do but the Planning Board's hands are tied. They heard testimony that their houses and foundations were built too low and someone asked why they don't sue the developer. There has been a number of people who have been before them, as well as before the Selectmen, who said they can't sue the developer or the people who built their houses because they filed for bankruptcy. That's why Phase 3 is here. It's not with the original part of the development of the first two phases. The other thing they are concerned about is that the residents are saying the Town should have had an inspector out there to look at the way their homes were being constructed. That didn't happen and there are a lot of problems with this plan that makes

them uncomfortable. The culvert will result in a possible taking of this man's property and the Planning Board wanted the Selectmen to know about that.

Selectman Jasper's understanding of what they did and what they were told is they have a problem right now that existed because there was a culvert that was not adequate to handle the flow and they needed to make a larger culvert under the road so that the water currently backing up everywhere would be able to flow under the road at a higher rate and thus stop the pooling of water on the north side of Highland Street. Now he's hearing that what they did was approve putting a whole bunch more water on somebody's property, which is not what he thought he was voting for. Putting a larger culvert under the road doesn't in and of itself put more water in an area. That may be happening by something else. He was told that the culvert couldn't handle the water. He was at a loss as to how the Selectmen approving a larger culvert is resulting in somebody having more water flow onto his property and thus result in a lawsuit.

Mr. Maddox said this is an old, complex, multi-phased, difficult project and requires both of the boards to communicate. The study the Planning Board had done indicated a number of deficiencies. There was a report done by the Town consultants that the third phase would not generate any more water off of that site than there is today. The culvert issue is trying to rectify problems that have existed not actually tied to the output of the new construction, but there is an awful lot of water coming off of that roadway and the Town Engineer and others have looked at it. The Planning Board addressed as much as they could for the people in that area with the tools they had to work with and put in stipulations that Problem 2 and Problem 3 as defined in the Town Engineer's memo, as much as possible, would be corrected by this developer. As far as the drainage, it is really a Town issue as the roads belong to the Selectmen. Now there are issues of where the water is going to go, and how it's going to get there, which is out of the Planning Board's purview.

Selectman Jasper still didn't understand where the problem comes in by putting in a bigger culvert. Chairman Seabury said the Town has to work on Mr. Vogel's property and they don't have an easement. Selectman Jasper understood that in order to put in a larger culvert, they have to go a certain distance on his property. Mr. Vogel seems to feel that that is somehow going to increase the flow and that's what he doesn't understand. Right now, during big storms, the water backs up and it is all over the place and a larger pipe would stop that from happening. He didn't understand how this makes Mr. Vogel's problem worse or how it causes an erosion problem if it's the same amount of flow traveling on to his property. Moreover, the commitment was made to the Board that with the new subdivision there would be no additional runoff of that development than there currently exists, so he's at a loss as to where the problem comes in with this solution.

Mr. Maddox said a report by the Town Engineer dated January 17 answers some of that. The subdivision plan was approved based on their engineer and the Town's consultant saying there would be no additional runoff, with monies for them to either perform the work or put a bond in place for the work to be done at a later date, depending on the permitting, etc. Selectman Jasper asked if Mr. Vogel's property was on the south or north side of Highland Street. Mr. Vogel said the south side. Selectman Jasper said he'd be getting the same amount of water, just at a higher rate. His recollection of that area is that it's low-lying. If you have a culvert that handles X amount of gallons per minute, and you increase that, the same amount of water is going to flow there. Mr. Maddox said currently, ponding takes place. It backs up and fills someone else's yard. Some of that water will now be going across Highland Street to Mr. Vogel's property.

Mr. Vogel was recognized and said he lives at 191 Highland Street. The culvert in question is a 12" pipe that was installed years ago by either the State or Town and was adequate at that time. A developer developed the front side of Highland Street, the houses to the north of him. The same developer did Phase 2 and Greeley Street Extension, known as No Name Road. The Town took all of the runoff of about 3/10ths of a mile of Greeley Street and dumped it behind these houses through two 15" culverts. They put in a catch basin at the bottom of the hill that is inadequate. During a surcharge, the manhole cover is blown off. There isn't adequate drainage in that area. It should go down Greeley Street and dump in Glover Brook. If it wasn't for that water, there probably wouldn't be a problem because that 12" culvert becomes adequate again. The springs that are opened up during graveling will now be the only water supply coming into that area. He showed photos of what his back yard looks like. His grove of pine trees that like dry soil have been drowned. Trees are being uprooted because of the saturation. It was a pasture, including a pathway used by cows going back to the farm by Brox. It wasn't meant to be a wetland catchall for all of the water off Greeley Street. When Greeley Street was a dirt road, the water ran right down to Glover Brook. Now that it's paved, the water is dumped in the back yards of the people on Greeley Street Extension. By changing the pipe size, instead of the water running down Greeley Street Extension, it's all going to come down through one 36" culvert, in addition to the 12" pipe already there because no one has really told him what they are going to do. He estimates that with a 36" pipe, minimum slope, it is 9,664,000 gallons a day. With a 3" rainstorm, every single bit of that water will be in his yard. No one considered the fact that the basin in the back of his yard cannot handle that kind of water. There were three problems with that area, but they are only addressing one. They should take care of all of them, or none at all.

Selectman Jasper said he'd like to meet with the Road Agent, Town Engineer and other Selectmen on site so he has a better understanding of the solutions. Ultimately, they may have to do something else and the Town may have to take some responsibility. That drain has been a long-term problem. Mr. Vogel said he has been informed by the Town Engineer and engineer for the developer that there will be no additional water but they haven't addressed the water that flows over the road. He's had to change his plans in order to attend meetings so he can be heard, which isn't fair. They are dealing with innuendoes and hearsay. He was sent a picture of the new culvert crossing and in four week's time it completely changed. They went from removing the 12" pipe to adding a 36" pipe. They are dumping more flow into his back yard. They don't have a flow easement or drainage easement that he knew of and they never consulted him.

(Start Tape 2, Second Side)

Once water is captured into pipes, there is no stopping it. He feels he is getting a real rotten deal. Chairman Seabury said they wouldn't do that to him. The Town Engineer said he'd be happy to meet with staff and the Selectmen on site to discuss the issues. Chairman Seabury said she agreed with a Planning Board member that this is Phase 3 of a project that was started many years ago. It goes back to

Highland Woods 3 development. At that time, there were problems with the site and that's why the project was dropped. The developer that purchased this should have realized that if he had looked at the records.

Selectman Jasper disagree with her in concept, but the Town took no action to put any restrictions on the deed to that property. It was purchased free and clear of those types of encumbrances. Maybe they couldn't have prevented it 100%, but the Town did nothing. As much as they would like to attach 100% of the blame to this piece of property, they can't go back and make the new owner responsible for the sins of the previous owner because it was a subdivided piece of property. They can try to get as much money from the developer as they can, but the issue is the problem that is there. From the looks of the trees in the photo, the problem has been on-going for some time. Passing blame around isn't going to help anyone. Selectman Jasper said he'd work on coordinating a date and time.

Chairman Seabury recognized Georgia Flynn, 84 B Greeley Street, who said the water problem isn't solely on private drives. The homes at the top of the hill also have their back yards eroded. The developer's engineer has told them there will be no more drainage problems added to what is already there, but the problem has increased with each development that has gone on the top of the hill. It's hard to believe that with what little drainage issue he has taken care of and the small retention pond that he is putting in that they are not going to get even more water. It's not just because they are in a low grade land. Their back yards and basements are flooded and the people on Highland Road have skating rinks for driveways most of the time through the winter. Each year it has gotten worse as more building takes place.

Chairman Seabury recognized Steven Haight, an engineer with Herbert Associates, who said he's been involved with this project from the beginning. The project was approved by the Planning Board with one condition, which was to come back to them with a schedule to accomplish the items that the Selectmen had voted on, which would be a contribution from the developer for that project. The Selectmen have the information from everyone involved. The Selectmen voted to look into upgrading a culvert under Highland Street. Part of the discussion was possible Town involvement to obtain easements or whatever was necessary to do the culvert. The project was approved with the condition to come back to the Planning Board with a schedule of how to accommodate the Selectmen's wishes. The developer has put together soil scientists who has been out there and some design plans. Mr. Vogel had received a preliminary set of ideas. They would be developing full engineering drawings for the full installation of the culvert. The project was approved with an offsite improvement and the improvement that was recommended by the Board of Selectmen, which the developer indicated he would do, was that culvert improvement.

Selectman Jasper said what Mr. Haight was saying was technically correct, but he feels that he was somewhat misled as to the consequences by the circumstances. Now he finds there is ponding on the south side of the road that is creating problems. He's seen the pictures and obviously pine tree didn't grow to that height in a wetlands. Mr. Haight said everyone knows there has been a problem with drainage in the area. The Selectman chose to concentrate on a possible increase to that pipe. That was the contribution for the subdivision. Selectman Jasper said the contribution was going to be some dollar value and the Town would solve the problem. He was never necessarily of the opinion that a culvert was the way to go. Mr. Haight said his understanding of things is exactly the same as Selectman Jasper's. They are to either do the work or post the money. Selectman Jasper said that's why he wants to visit the site, to understand the problem.

Motion by Selectman Jasper, seconded by Selectman Stewart, to table this item until the next meeting (April 9, 2002) carried unanimously.

Mr. Haight said they've met with the Conservation Commission out in the field for one item associated with the dredge and fill necessary to work in the wetlands since it requires a special exception from the ZBA. The Conservation Commission has issued a positive recommendation for the temporary impacts. They will go to the Planning Board tomorrow night to ask for their input to the ZBA then they will go to the ZBA on Thursday to see if they are amenable to give the special exception to do the work in the wetlands. It does not mean that the work is going to get done, but would put things in place.

Chairman Seabury assured Mr. Vogel not to worry, saying the Town would be in touch with him.

Selectman Stewart reminded the Board that the Town's attorneys were pacing the hall, waiting for the Attorney-Client Session, and it was on the Town's nickel. Selectman Jasper hoped they would do the next item first, since many members of the Benson's Committee were present.

7. **NEW BUSINESS**

A. Authorization request by Grant Writer to Submit Land and Water Conservation Fund Application

Chairman Seabury recognized Curt Laffin who was standing in for the Grant Writer, Jerry Coogan, who was unable to be present. Jerry went to the Benson's Committee some time ago and said there was an opportunity for a grant application through the Land and Water Conservation Fund for a recreational oriented project and asked them to consider sites on the Benson's property where this might be applied. The south field area by the Haselton Barn was the site the committee suggested he pursue because that is on the periphery of the project and even though the plans haven't advanced to site plans yet, if they did something in that part of the property, it probably wouldn't interfere with other projects that were coming down the line. Jerry has put together a grant application that would involve putting in the combination soccer/softball field at the south field site, with parking and play areas. The total project is \$173,000, the Town's share would be \$86,500 and the grant application is due April 1. They are asking for the Board's approval to move forward with this.

Mr. Sharon said earlier today, Jerry Coogan suggested that the Town's chances would be enhanced if the \$86,500 is a cash match. The

appropriation is available.

Selectman Jasper asked if the Benson's Committee members felt this was an appropriate application at this time. Mr. Laffin said they haven't laid out their priorities yet, but they have a grant opportunity that's looking for a project, with a deadline of April 1. If they don't go ahead with it, they can submit it next year. It is an opportunity to get some funds into the Benson's project, but he personally has some concerns. They have a certain amount of money to work with for another year and this is a big chunk to commit.

Laurie Jasper, a member of the Benson's Committee, said the subcommittee met on the 14th with the Grant Writer. She was surprised to see this come before the Board because, at that time, they made it clear that this was a little too ambitious and too technical a grant than the Committee wanted to pursue. Also, in light of the fact that the Town didn't win the LCHIP grant for the historic structures report, which they were told was the first major step in the project and must be done first. She didn't think it was appropriate to commit \$86,000 at this time. In looking at the proposal, it seems that it will cost much more than what is being proposed. Also, the project must be completed in two years to use the grant money. This is a long-term project. It's a wonderful opportunity, but it's not the place to be putting potential money that could be used to purchase land or to shore up the buildings. If they start working in the south field and the Haselton Barn has not been secured, they will have the potential for vandalism and other problems in that area. Chairman Seabury asked if that was the general feeling of the committee. Mrs. Jasper said the committee hasn't met since February 7, but it is the feeling of the people at the subcommittee meeting. Esther McGraw nodded her agreement.

Selectman Cole asked who the Grant Writer works for. Selectman Jasper said the Selectmen. Selectman Cole wondered, if the committee was representing the Town, i.e., the Board of Selectmen, how Mr. Coogan came up with this application, if it wasn't coordinated with the committee. Mrs. Jasper wondered, too. Mr. Sharon said the Grant Writer *was* working with the committee. Mrs. Jasper said the consensus of the February 14 meeting was they didn't have enough information to go forward with the grant as it was a very detailed application. Mr. Laffin said he heard from Jerry that after the subcommittee meeting, which had suggested this was a little premature, he then met with Sean Sullivan and Paul Sharon and the decision was that the opportunity should be pursued.

Motion by Selectman Jasper, seconded by Selectman Cole, to not authorize the application.

Mr. Laffin asked them not to kill this, but to look to other granting opportunities in the future as they get better informed of the overall project. Mr. Sharon asked that this be reconsidered at the next round. Selectman Cole said the motion only kills this particular initiative, which runs out on April 1.

Vote: Motion carried unanimously.

Recess/Attorney Client Session A recess was declared at 9:30 p.m. Attorney-Client Session was entered into at 9:35 p.m. and was terminated at 10:40 p.m.

B. Girl Scout's Request to use Robinson Pond for Day Camp

Selectman Jasper said when someone rents Lions Hall, the Town requires liability insurance. It seems that they need to set a certain limit for rental of Robinson Pond. Betsy introduced herself and said she was present on behalf of the Girl Scouts. They have many girls who would like to attend camp this summer and she'd like to give the parents a more definitive answer on where they stand. She understands the Board just received the contract today and knows it needs to be looked at by the Girl Scout's lawyers, Selectman Jasper said if they delay this beyond the next meeting, they will be into the end of April, and that may cause a problem. That was why he made sure this was on tonight's agenda. Chairman Seabury said the Board already approved the concept. After the Girl Scout's attorney has a chance to review the proposed rental agreement, it can come back to the Board at the next meeting.

C. Public Hearing/Board Action on Acceptance of Money from a Fundraiser for the Recreation Department's Skate Park

Chairman Seabury opened the Public Hearing at 10:45 p.m. and asked if anyone wished to speak. There was no response so she closed the hearing.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to receive the \$1,930 for the skate park that was raised at a recent 5th and 6th grade dance carried unanimously.

D. Contested Water Bill by David and Renee Wentzell

Chairman Seabury said the information from the Finance Director is to not grant the water bill, as the customer refuses to let the utility on their property. Mr. Sharon said the Wentzell's indicated they had hired a plumber, who assured them they didn't have a problem. What is known is that the water went through the meter, somehow, some way. The Town encouraged them to let Pennichuck go in the building to see where it could have happened. It doesn't take much to run up a significant water bill.

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

E. Bid Recommendation--Thermal Imaging Camera (Fire Dept.)

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to award the bid for two thermal imaging cameras to R & R Safety in the amount of \$33,000 as recommended by the Finance Director and Fire Chief.

(Start Tape 3, Side A)

Assistant Fire Chief Shawn Murray said this project started prior to his arrival last May. He explained the technology of the thermal imaging camera. They put out an RFP and received three back. After reviewing the bids, they recommended going with the Cairn's Viper, which is manufactured in Salem, NH. If it needs to be repaired, they can bring it down and pick up a loaner. They were hoping to purchase two cameras, saying \$7,800 was brought in by donations from the public with commitments of \$1,000 from IAFF Local 3154 and \$1,000 from the Hudson Firefighters Relief Association. The balance would come from 5730-399. The camera was tested and this one was chosen for its durability and handling characteristics.

Selectman Stewart asked why they needed two. AC Murray said they would be at Central Station and one of the other stations. It can be used in multiple situations. Chief Carpentino said the plan about a year ago was to purchase one through donations and one through the budget with the intent of putting one at Central Station and one at Burns Hill Station. If a camera is on a piece of apparatus that goes into Nashua, the Town is without the technology they purchased. If one camera goes down, the other one is available. They have about 90% of the donations for one camera; the other one will be purchased through the budget.

Selectman Charbonneau asked how many towns have this type of camera. AC Murray said the majority of the towns are going with this technology. Chief Carpentino said Manchester just bought 17 smaller ones and five larger ones. Selectman Charbonneau wondered how much use they'd get out of it because it was a lot of money. Chief Carpentino said departments use them to check out overheating motors and appliances. They are able to detect a bad wall circuit. They are used to check buildup of heat in breaker boxes. On chimney fires, they can tell where it is plugged by using the camera. In motor vehicle accidents, it can be used if it's dark and they are looking for victims. The camera can tell them if someone was sitting in a seat. It can also be used to see if there is a chemical reaction going on and where the flow of liquid is going.

Selectman Stewart asked if this was used at the controlled burn. Chief Carpentino said this camera was much more advanced.

Selectman Jasper thought the Chief misspoke when he said one camera was being purchased by the taxpayers and the other 90% by donations. The camera is \$16,500; the donation is \$9,000 which is somewhat over half, not 90%. If an engine goes to Nashua, they could take the camera off the truck. They are always at risk a piece of equipment might go down. They ought to see how often the camera is used and what its effectiveness is to the operation before they purchase two because \$33,000 is a lot of money.

Selectman Stewart said \$16,500 was only for the camera. Chief Carpentino said there was an additional \$9,000 to buy the receiver, a transmitter that sends information back an outside source that reflects what they are seeing inside the structure. They did not feel it was worth \$9,000 and wanted to put the money towards a second camera. Selectman Stewart asked if they were going to put the \$9,000 in the budget next year for the transmitter. Chief Carpentino said absolutely, that that feature could be added in the future.

Selectman Cole asked about past performance of this piece of equipment and if they called any other department to find out their experience. Chief Carpentino said they did. AC Murray said they looked at three or four different models. The technology for the cameras is the same. They chose this camera for its specific configuration, flexibility, ease of handling, durability and technical specs. Selectman Cole asked if training, maintenance and spares were part of the package, or if it was a separate purchase. AC Murray said training is part of the package. The company comes in to give a bare bones training course. There is a 18-month warranty on the camera, maintenance is done in Salem, and they provide a loaner. Chief Carpentino said they've contacted several departments who recommend a company out of New York that does thermal imaging training because it does change the traditional approach to search and rescue, so they are looking into providing additional training. Selectman Cole noticed that it comes with an instructional video, but that doesn't qualify as training. He also noticed that in a memo the Chief mentioned training that costs \$2,000 - \$3,000 and wondered if that cost was plugged in anywhere. Chief Carpentino said the cost before them was just for the cameras.

Selectman Jasper started to make an amendment, but at the same time, Chairman Seabury recognized Selectman Stewart., who asked if the 18-month warranty was included in the \$16,500. Chief Carpentino said the company gave them an 18-month warranty, adding that he had an idea where the amendment was going to go and he was a little confused. When this was budgeted, they made it very clear they were budgeting for one and were going for donations for another one. That was stated right up front.

Selectman Cole called for a Point of Order saying he'd appreciate hearing the amendment before the Chief tells him what it is going to be.

Amendment by Selectman Jasper, seconded by Selectman Charbonneau, to authorize the purchase of one camera at this time.

Selectman Jasper said the Chief was correct, but he has fallen short at this time for donations for the second camera. There is only \$9,813 plus \$2,500 of training they weren't told about that wasn't budgeted for, so that puts it quite high. In the interest of fiscal constraints and in looking at the overtime, they may be scrambling for money in a number of areas. Until they have the money from donations to buy the second one, as was promised, they should buy only one. If the money was there from donations, he would be in full support of the purchase. Selectman Charbonneau said she preferred seeing only one bought. She believes in modern technology, but \$33,000 is a lot of money. She can't vote for two.

Vote: Amendment carried unanimously.

Chairman Seabury said they would vote on the amended motion, but Selectman Jasper indicated that that wasn't necessary, that that vote just taken took care of it.

F. Bid Recommendation--Logging Recorder (Fire Dept.)

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to award the bid for a five year lease-purchase of the Fire Communications Center Logging Recorder to Beltronics in the amount of \$31,358.43 as recommended by the Finance Director and Fire Chief.

- Deputy Chief Gary Rodgers said this uses CD's instead of reel-to-reel tape. They were recommending Exacom out of Concord and Beltronics out of Hollis, who will install it. He and Lt. Kearns visited three sites to look at their recorders. Manchester Fire uses Eventide, but they determined that it can't do what the Exacom can do. The Dictaphone at Londonderry is a nice machine, but they have had problems in the past with the current Dictaphone. The State Police Headquarters in Concord uses Exacom, as well as all of their barracks, the University of NH and E911. They expressed a willingness to work with the Town and as a BETA site. He explained the advantages of the system, adding that it came in \$6,000 under budget. Selectman Cole asked how the Town would benefit from being a BETA site as they would be using the Town as a marketing reference in the future to sell their product. Deputy Rodgers said they are providing the software, which runs about \$1,000 or more, for the Town agreeing to be a BETA site. Selectman Jasper asked what happens if the software doesn't work. Deputy Rodgers said this is something over and above what was asked for in the specs. Selectman Cole said three companies originally responded with a proposal. The Town subsequently went back to all three to ask for additional information, but only one responded. Deputy Rodgers said the other two companies were unable to provide what was requested.

Vote: Motion carried unanimously.

G. Proposed Fire Safety Program

Fire Marshal Chalk introduced Bob Longo, a volunteer in the Fire Department, who wanted to present a new outreach project to the Board called, *Did You Check (Your Smoke Detector)?* This effort is to make Town residents aware that detectors need to be checked regularly with the aim of involving the community. They would work with a local pizza place about once a week and, with prior coordination, the Fire Department would join them at a pre-determined place of delivery, chosen by the Fire Department and pizza place, and announce themselves, explain what the program is about, and ask if they can come in to check their detectors. If the detectors work, the pizza would be free. This idea came from the Watertown, NY Fire Department. With the time change on April 7, they feel this is an ideal time to put this program into effect. If someone does not have a working detector, they will be supplied with either a new battery or a new detector and battery. It will ensure that every home they visit will have a working detector when they leave. The program will be self-funded, with the Town's only obligation being manpower and an engine to go on the checks.

Chairman Seabury thought it was a wonderful idea. Fire Marshal Chalk said if approved, they would be the first ones in the State to do this, so it does bring some good publicity.

Selectman Cole said he is from the Watertown area and they probably have only one pizzeria and are locked in by snow nine months out of the year, so having a fire truck go around town is pretty exciting. He asked if the Town of Hudson was going to endorse a pizzeria as Watertown did. Mr. Longo said this six to eight week trial program was for as many restaurants to participate as wanted to. They don't have one special place in mind. Selectman Jasper agreed with Selectman Cole and said they should contact everyone in Town that delivers pizza to give them the opportunity to participate, and rotate the schedule.

(Start of Tape 3, Second Side)

Motion by Selectman Stewart, seconded by Selectman Cole, to go forward with the program, "Did You Check?" and that the Fire Department notify all the establishments in Hudson that delivers pizza so they can all participate carried unanimously.

H. Proposal to Reallocate Command Trailer

Fire Marshal Chalk said the Fire Department's 15' long command trailer is kept at the Burns Hill Fire Station and contains stored radio equipment, other small pieces of equipment and an old computer. The trailer has not rolled for many incidents because the command is run from the back of a vehicle. They would like to use it to store the robotic fire truck, which is actually \$7,000 worth of equipment, and has been in the schools, to SAM's Club and other places in the community. There is no way to get him easily into a van so they have been transporting him by pickup truck. The trailer is low to the ground and can also be used as a place to put in all of the other educational materials that is distributed at the schools. They envision installing a television system in the trailer with a window on the side so they can take it to Old Home Days and run tapes of different safety programs. They would also install an awning on the outside so people could comfortably watch educational videos. This would allow them to self-contain a piece of apparatus so they don't have to constantly load and unload a piece of equipment. They would have everything needed to present a safety program at a location. If they needed the trailer for something, the equipment and material could be taken out easily. In the three years he has been here, it hasn't rolled in a command situation.

Motion by Selectman Stewart, seconded by Selectman Jasper, to reallocate the use of the command trailer, as proposed by Fire Marshal Chalk, carried unanimously.

- Selectman Charbonneau said the robotic fire engine didn't cost the Town anything; it came from the State.

I. Cable Franchise Renewal

Coleman Kelly said he asked that this item be put on the agenda in anticipation of some progress with their dealings with Adelphia. They have been trying to solidify a renewal agreement. The consortium of Milford, Litchfield and Hudson prevailed on Mr. Rigas,

owner of Adelphia, to visit and to add his stature to a resolution. He did so on February 28th. Since then, they have had a couple of productive meetings and a list of 62 items that existed at the end of December has been reduced 23 items. The action that they were thinking of taking last night in Litchfield and Milford and tonight in Hudson has been moved to a back burner. They believe they are making progress and would like to continue.

J. Election of Officers

Motion by Selectman Jasper that this item be deferred until all members of the Board are qualified and sworn did not receive a second.

Motion by Selectman Stewart, seconded by Selectman Seabury, to nominate Bill Cole as Chairman carried unanimously.

Motion by Selectman Charbonneau, seconded by Selectman Cole, to nominate Terry Stewart as Vice-Chairman carried unanimously.

8. **OTHER BUSINESS**

A. Promotion of Fire Captain

Chairman Seabury announced that during Nonpublic Session on March 11, Steve Gannon was promoted to Captain, effective 3/17/02 in accordance with the Hudson Police, Fire and Town Supervisors' Association.

B. Remarks by Selectman Bill Cole

Selectman Cole thanked the members of the Board for welcoming him back to Hudson politics and for their vote of confidence. He will do his best to confirm that confidence and he looks forward to working with them, the other elected and appointed officials and the professional, competent corps of municipal officials in Hudson. He thanked Selectman Seabury and former Selectman Clegg for the outstanding job they have done on behalf of the community during this transition period of five months. Both Ann and Bob stepped forward and provided the leadership and example that local government requires, if it is to be effective.

C. Resignation of Representative Don White

Selectman Charbonneau said that on Friday, Representative White is resigning and moving to Colorado. He has done a great job for Hudson and Pelham. He always listened to his constituents and she wished him luck. He will be missed as he did a great job on the Executive Committee and as a Representative.

D. Remarks made about Two Citizens

Selectman Jasper said two well-respected residents spoke to the Board during Public Input. He thought the Chairman's remarks toward them at the previous meeting were in violation of the decorum. He feels she used the chair as a pulpit. He shares her opinion in the case of both of the items that she brought forward and he spoke in opposition to the comments made by Fred Giuffrida, although he agreed with his concern that there is further work that needs to be done. He thought that the overriding problem was more important than the flaws that exist. Nor did he agree with Mr. Knowles and Mr. Bernasconi's manner in which they attempted to modify the pay raises for the non-union personnel. However, they need to encourage people to participate and not have to face ridicule or personal attacks. He felt that the Chairman's comments were attacks. She is allowed her thoughts but she owes them an apology for saying those comments from the chair and in this forum. He understands that she probably won't apologize because she made that clear, but he thinks she was wrong and felt that he had to pursue it because Robert's Rules prohibits using disorderly words. He quoted, "If a member cannot justify the words he used and will not suitably apologize for using them, it is the duty of the assembly to act in the case." Therefore, in the absence of the Chairman's apology, he felt that the Board should apologize because this is not the appropriate forum for those types of attacks.

Chairman Seabury asked if the Board wished to take any action. There was no response.

9. **LICENSES AND PERMITS**

Request by the Hudson Firefighters Relief Association to hold a raffle to benefit HFFRA

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

10. **ACCEPTANCE OF MINUTES**

BOS Minutes of the March 11, 2002 Meeting

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to accept as presented and refer to file carried unanimously.

11. **COMMITTEE ANNOUNCEMENTS**

3/27	7:00 Planning Board in CD Meeting Room
3/28	7:30 ZBA in CD Meeting Room
4/1	7:00 Friends of Hudson's Natural Resources in CD Meeting Room

4/3 7:00 Planning Board Workshop in CD Meeting Room
4/8 6:30 School Board in BOS Meeting Room
4/9 7:30 BOS in BOS Meeting Room
4/10 7:00 Planning Board in CD Meeting Room
4/11 6:30 Recreation Committee at Rec Center
4/11 7:00 Sewer Utility Committee in BOS Meeting Room
4/11 7:30 ZBA in CD Meeting Room
4/15 7:30 Library Trustees in BOS Meeting Room
4/15 7:30 Conservation Commission in CD Meeting Room
4/18 7:30 Budget Committee in CD Meeting Room
4/23 7:30 BOS Meeting in BOS Meeting Room
4/24 7:00 Planning Board in CD Meeting Room
4/25 7:30 ZBA in CD Meeting Room
4/29 6:30 School Board in BOS Meeting Room

12. **REMARKS BY THE SELECTMEN**

Selectman Charbonneau responded to the criticism against the Chairman. Maybe she had the right to do it; maybe not. The way the Budget Committee conducted themselves when the department heads came before them made them feel small. They were rude and played with reindeer and formed them into shapes when they wanted to make a point. They were rude to the department heads and that is why the Budget Committee should be televised so maybe they will conduct themselves in the right manner. They criticize everyone else, but what they did to the department heads is a shame. They shouldn't use their forum, either, to do what they did.

- Terry Stewart said she used her reindeer (at the Budget Committee meeting) and clobbered another Budget Committee's reindeer with hers when someone did something she didn't like. On a sadder note, she mentioned the passing away of David Kendall, a long-time DPW employee.

- Ann Seabury said the letter Mr. Giuffrida spoke about was a note written by the Police Department and the Chief had given her a copy of it. Therefore, she does not feel that an apology is in order to Mr. Giuffrida from her. The Chief was afraid the ordinance wouldn't pass, an ordinance which would protect his officers who are out on the front lines. She wrote several letters to the HLN, one of which was on RAVEs, but it didn't make the paper. She wrote in that letter that she didn't know whether or not it was a good ordinance, but hoped the people who are at the State level that seem to have an expertise in that field, i.e., David Alukonis and Lars Christiansen, would come forward during the course of the year to make the necessary changes they were trying to do on the floor of the deliberative session.

13. **NONPUBLIC SESSION**

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

Nonpublic Session was entered into at 11:45 p.m. and was terminated at 12:00 midnight.

14. **ADJOURNMENT**

Motion by Selectman Jasper, seconded by Selectman Stewart, to adjourn at 12:00 midnight carried unanimously.

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

HUDSON BOARD OF SELECTMEN

William P. Cole, Chairman

Shawn N. Jasper

Lisa Riley

Ann Seabury

Teresa Stewart