

**HUDSON, NH Board of selectmen  
Minutes of the January 26, 2004 Meeting**

1. **CALL TO ORDER** -- Chairman Bill Cole called this meeting of the Hudson Board of Selectmen to order at 7:00 p.m. on Tuesday, January 26, 2004, in the Large Meeting Room in the Hudson Town Hall.
2. **PLEDGE OF ALLEGIANCE** was led by Selectman Shawn Jasper.
3. **ATTENDANCE**  
**Selectmen:** William P. Cole, Shawn N. Jasper, Kenneth J. Massey, Ann Seabury and Teresa Stewart.  
**Staff/Others:** Steve Malizia, Town Administrator; Brad Seabury, Recorder.
4. **PUBLIC INPUT** -- Chairman Cole asked if anyone wished to address the Board, but there was no response.
5. **CONSENT ITEMS**  
Chairman Cole asked if any members of the Board wished to remove any items from the Consent Items list. No one did. He noted that the public hearing on establishing a sewer district on Glen Drive was scheduled for February 18 at Nottingham West School cafeteria at 7:00 p.m.

*Motion by Selectman Stewart, seconded by Selectman Seabury, to accept the Consent Items carried unanimously.*

**A. Assessing Items**

2003 Application for Abatement, Map 147/Lot 022/Sub 016, with recommendation to grant  
Veteran's Tax Credit Application, 28 Hazelwood Road, with recommendation to grant  
Veteran's Credit and Application for Abatement, 36 Westchester Court, with recommendation to grant  
2003 Supplemental Tax Bill, Verizon, Inc., Map 100/Lot 010, with recommendation to approve

**B. Sewer Utility Items**

Sewer Allocation Request, I Federal Street, w/recommendation to approve  
Sewer Acceptance, Woodland Heights, Overlook Circle, with recommendation to accept

**C. Licenses and Permits**

Request by Hudson Heat to collect moneys at Market Basket on January 31 and February 14  
Request by Hollis Cavaliers to conduct fundraising activities at Hudson Wal-Mart on February 21, 2004 in support of youth hockey (which includes Hudson players)  
Application for a Raffle Permit by Alvirne Friends of Music to hold a raffle to benefit the Scholarship Fund

**D. Acceptance of Minutes**

Minutes of the Board of Selectmen Meeting of January 13, 2004

**E. Committee Announcements**

01/26/04 7:30 BOS in BOS Meeting Room  
01/27/04 State Primary  
01/27/04 1:00 Trustees of the Trust Funds  
01/28/04 7:00 Planning Board in CD Meeting Room  
01/30/04 Last day to file for Candidacy  
01/31/04 9:00 a.m. Town Deliberative Session @ Lions Hall  
02/02/04 7:00 Friends of Hudson's Natural Resources  
02/04/04 9:00 a.m. Highway Safety Committee in CD Meeting Room  
02/04/04 7:00 Planning Board Workshop in CD Meeting Room  
02/07/04 School District Meeting at Lions Hall  
02/10/04 7:30 BOS Meeting  
02/11/04 7:00 Planning Board Meeting in CD Meeting Room  
02/12/04 7:30 Sewer Utility in Community Development Office Area  
02/12/04 6:30 Regional Water District Charter Committee at NRPC  
02/12/04 7:30 ZBA in CD Meeting Room  
02/16/04 Town Hall closed in recognition of Presidents' Day  
02/19/04 7:30 Budget Committee in BOS Meeting Room  
02/18/04 7:00 Public Hearing on Establishment of the Glen Drive Sewer District in Nottingham West School Cafeteria  
02/23/04 7:30 Conservation Commission in CD Meeting Room  
02/24/04 7:30 BOS in BOS Meeting Room  
02/25/04 7:00 Planning Board in CD Meeting Room  
02/26/04 6:30 Regional Water District Charter Committee in Bedford  
02/26/04 7:30 ZBA in CD Meeting Room

**6. OLD BUSINESS**

**Hiring of Temporary Full-time Fire Fighter** (deferred from January 13, 2004)

Chairman Cole reminding the Board that this matter had been deferred to allow discussions with the Firefighters' Union to eliminate the possibility of this position becoming a union position after a period of six months and one day. Chief Murray reported that he had been in contact with the IAFF union representatives and with attorneys, and a sidebar agreement has been drafted.

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the HFD Job Description 21, entitled Temporary Firefighter/EMT, and further to authorize the Fire Chief to advertise for a temporary full-time firefighter, for a period not to exceed one year or upon the return of Firefighter Gerry Carrier from active military deployment, whichever occurs first.

Selectman Jasper said he had been in favor of this previously, but the concern he had raised had been addressed and he was comfortable with this action, assuming that the Board would have a signed sidebar by the time the Board actually filled the position. Mr. Malizia assured the Board that they would have a properly signed sidebar when this matter came back before them.

Vote: Motion carried unanimously.

**7. NEW BUSINESS****A. Acceptance of \$500 donation to the Fire Department from the Hudson Nottingham West Lions**

Motion by Selectman Stewart, seconded by Selectman Jasper, to accept, with the Board's appreciation, a \$500 donation to the Fire Department from the Nottingham West Lions, carried unanimously.

When Selectman Seabury asked if this would go in the Interoperability Fund, Chief Murray said no, it was for a thermal imaging camera. She thought the Board should consider setting up an account for the Interoperability program.

**B. Request for authorization to apply for \$2,442 FY 04 Emergency Management Performance Grant**

Chairman Cole asked Fire Chief Murray to speak for this item. Chief Murray said this performance grant previously had been awarded on a yearly basis, but it was now on a programmed basis. He identified this \$2,442 amount as the cost of the pagers assigned to the staff at the Emergency Operations Center, explaining that he was simply trying to trade this program in order to get reimbursed for it. Town Administrator Malizia asked if these pagers had already been budgeted. Fire Chief Murray confirmed that these were budgeted every year, but he was just seeking reimbursement.

Motion by Selectman Stewart, seconded by Selectman Jasper, to authorize the Fire Chief and Fire Department to apply for the FY 04 Emergency Management Performance Grant in the amount of \$2,442, carried unanimously.

**C. Selectmen's Liaison Assignments/Deliberative Session**

Chairman Cole referenced a reorganized listing of Selectmen's responsibilities for the Deliberative Session, prepared by Town Administrator Malizia and provided in the packets for this meeting. He asked if there were any comments, additions, deletions, or questions, noting that Board members could speak as a private citizen on any item, if desired.

**8. OTHER BUSINESS/REMARKS BY THE SELECTMEN**

Selectman Stewart welcomed Chairman Cole back from his recent illness, and said citizens should get out and vote tomorrow.

Selectman Seabury recalled that Mr. Laferriere, during public input at the previous meeting, spoke about a Town Highway employee having been observed plowing his own driveway with a Town truck. The Board subsequently received an e-mail from the Road Agent, pointing out that the employee had been out plowing Town streets, schools and cul-de-sacs for the previous 30 hours and had gone home to shower before going back out on his regular 8-hour shift. As a salaried employee, he does not receive overtime. He had plowed his own driveway so he could get his vehicle off the road. She thought Mr. Laferriere owed this employee an apology, suggesting that a copy of the Road Agent's e-mail should be sent to Mr. Laferriere. The Hudson Highway personnel had done an excellent job with that large storm in keeping the roadways open so Mr. Laferriere could go to work. Selectman Seabury was glad to see Chairman Cole back and looking so well. She will be at the polls tomorrow after getting out of school. She didn't read aloud another e-mail she received, lest it be construed as promoting personal preferences for the political situation. Chairman Cole asked if she had a library factoid this evening. Selectman Seabury responded that a 2002 poll by the American Library Association found that 91% of its respondents expected libraries to be needed in the future despite the increase of information on the Internet. Federal spending on libraries annually amounted to only 54¢ per person.

Selectman Jasper said the Chairman of the Election Law Commission spoke to him about redistricting, adding that the Litchfield Selectmen unanimously requested that they become part of the Hudson/Pelham District, since there was no way for Litchfield citizens to get directly to Merrimack. Selectman Jasper noted this would give the district a 13-member legislative delegation, explaining that the Chairman of the Election Law Commission asked him to inquire how the Hudson Selectmen might feel about that change. No problems were expressed by any member, with a belief being stated that such a change would make sense. Selectman Massey stated that there was a disturbing trend in this country to redistrict whenever the results of an election were not what the people in power wanted, and not every 10 years, as had been the tradition for the past 200 years. He supported Litchfield's desire to be combined with Hudson and Pelham, but it would be unwise to redistrict until the next 10-year interval. Selectman Jasper said he understood that the House and Senate had redistricted through joint resolutions and sent the resulting plan to the Governor, but a subsequent veto had caused the redistricting to be decided by the Courts. He noted that the State Constitution did not say the Legislature, which was charged with redistricting, could not do it more often than every 10 years.

Selectman Jasper also welcomed Chairman Cole back.

Selectman Massey said he had posted the Town Warrant at each of the four designated locations. He then reported that the Pennichuck Regional Water Committee was continuing to work on finalizing a charter, adding that the Pennichuck name had been determined to be a registered logo of the Pennichuck Water Works company, so that the name "Pennichuck" could not be used as long as the Pennichuck Water Works remained in business. The work on the charter was not complete, but a public meeting had been scheduled for Thursday, February 12<sup>th</sup>, at the Bedford Community Television station, adding that there would be a nonpublic session on Wednesday, January 29<sup>th</sup> for updating the current status of negotiations and financial issues relative to the City of Nashua. He said the changes made since the two public hearings previously held had not materially changed Hudson's interest issues and might in fact have supported them. The next public hearing on the charter would not be held until after April 1.

Selectman Jasper, referring to a comment that appeared in HLN a couple weeks ago, stated that he and Selectman Seabury had never run unopposed for the office of Selectman, as asserted. He expressed concern about the comment about the need for the Board of Selectmen to be a team, as this was a scary concept because Selectmen are elected to represent the people. It would be terrible if they were expected to fall in line and vote as a team, giving up individual views and thoughts. He hoped the Selectmen could agree to disagree in a respectful manner; it would be a tragedy and a loss of democracy if a five-member board meant there could only be one opinion. Chairman Cole said he had not taken the term "team" to have a negative connotation, but he agreed that the Selectmen were elected to represent the people and to do what they felt was in the best interest of the people—but he thought the people expected the Selectmen to represent them with a united front, even when there was disagreement.

Chairman Cole said it was good to be back. He wanted every citizen to get out and vote. The Deliberative Session of the 2004 Town Meeting was January 31 at Lions Hall, starting at 9:00 a.m. and tomorrow, the polls would be open from 7:00 a.m. to 8:00 p.m. at Lions Hall.

Chairman Cole noted that the Board wanted to have a discussion with the Fire Chief and Fire administration to discuss various items for the purpose of giving guidance and establishing goals for the Fire Department in the coming year. He suggested that the discussion might include ideas about reorganization with respect to firefighters, as well as discussion about equipment replacement and the possibility of a trainer or safety officer. He proposed scheduling a special workshop with the appropriate Fire personnel, with the goal of that meeting—or subsequent meetings—being goals and objectives for the Fire Department for the coming years. The consensus of the Board was in agreement.

## 9.

### NONPUBLIC SESSION

*Motion by Selectman Jasper, seconded by Selectman Stewart, to enter nonpublic session pursuant to NH RSA 91-A:3 II (a). The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted. Selectman Massey asked that the same nonpublic session also be authorized to discuss an attorney-client situation having to do with possible litigation, under the provisions of NH RSA 91-A:3: II (e). Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled, carried 5-0 by roll call vote.*

Nonpublic session was entered into at 8:05 p.m. and was terminated at 8:29 p.m.

## 10. ADJOURNMENT

*Motion to adjourn at 8:30 p.m. by Selectman Stewart, seconded by Selectman Jasper, carried unanimously.*

Recorded by J. Bradford Seabury

### HUDSON, NH BOARD OF SELECTMEN:

---

William P. Cole, Chairman

---

Kenneth J. Massey

---

Shawn N. Jasper

---

Ann Seabury

---

Teresa Stewart