

## HUDSON BOARD OF SELECTMEN

### Minutes of the October 28, 1997 Meeting

7:00 - 7:30 p.m., closed session with Labor Relations Consultant, Gary Wulf.

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 7:35 p.m.

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

3. **ATTENDANCE**

**Selectmen**: E. Lorraine Madison, Rhona Charbonneau, Shawn N. Jasper, Ann Seabury, & Terry Stewart

**Staff/Others**: Paul Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Steve Malizia, Finance Director; Frank Carpentino, Fire Chief; Coleman Kelly and Lillian Yates, Cable Committee; Howard Dilworth, Jr; Jean Serino; Tim, SUN; Signe, TEL; Len, HLN

#### 4. **PUBLIC INPUT**

**Jean Serino, 118 Robinson Road -- 1) Policy to post petitions in Town Clerk's Office for public to sign, and 2) Buying development rights along the river.**

Jean said she wanted to question the lack of a policy that would allow people to post a petition in the Clerk's office so people can come in to sign it, such as the one she wanted to post to ask the Governor and the Congressmen to re-evaluate and reinvestigate the expansion of the Manchester airport since it is in the middle of the most densely populated area of New Hampshire. They wanted them to know that there are thousands of people who are unhappy about this, and they want to be heard. She thought the Town Hall is owned by "we, the people," and taxes are paid so there can be a public hall. This would be the ideal place to go to sign a petition. People who support the airport could also post one, if they wanted to. It should be a more open system. She thinks it would be a good idea to allow people to come indoors to sign a petition. She asked the Board to consider the request. The towns of Londonderry and Litchfield let her post the petition in the Clerk's office at Town Hall. They sent out hundreds of petitions and hundreds are coming back with signatures on them. There is a need and a desire for people to express themselves, but there is no place for them to go to ask for an investigation. The Governor might not know there is another side that should be heard, since it's the whole part of southern New Hampshire that's involved.

Selectman Jasper said this is something they ought to talk about. He has some reservations about not allowing people to put petitions up and, at the same time, if someone comes in who doesn't agree with what is being petitioned, they will take it down and throw it away. Paul asked what justification could be given to people, who don't agree with the petition, for using the public forum to promote a petition which is something that they, as taxpayers, do not support, other than suggesting that they put up their own petition, but then there may be still a third position. Jean said maybe so, but the taxpayers own the Town Hall and, as a liberal, she thinks everyone should be heard.

Chairman Madison said yes, Town Hall belongs to the people, and is used to conduct the business of the Town. People go in and out of the Clerk's office all day long. Jean didn't think a petition on the Town Clerk's desk was going to get in the way of anyone conducting business. Selectman Jasper said it was entirely up to the Clerk what she does or doesn't allow to go on in her office. Paul disagreed, saying he thought it was up to the Selectmen, saying it was not like the embassy. Selectman Charbonneau said the Clerk was an elected official and the Board didn't have the right to say what should or shouldn't go in there. Paul said not if it violates a policy the Selectmen adopt. Jean said there isn't a public building that allows this, including the Library and Police Station.

Howard Dilworth said the larger issue with this is that, at some point, he hopes that there will be public access via cable. One of the designations is "P" for "public." He asked how they were going to deal with who is going to put what on there. This all ties in with the public expressing their opinion. He recalled the night when the Pelham Selectmen wanted to meet and they had to shut down public t.v. and that caused an uproar. Selectman Charbonneau said if their meetings were broadcast, people would hear what Jean had to say during Public Input. Chairman Madison said what Howard was saying was that if they go to a public station, what are they going to allow to be broadcast on that station. Discussion continued. Paul said there was a difference between someone promoting a particular side of an issue in a studio and putting a petition in a place of business. Chairman Madison said this is something they need to look at in the future.

Jean's next issue, buying developmental rights along the river, said she is familiar with programs that are available through the Federal Government and Department of Agriculture which gives money to towns to pay for half of the development rights for properties, such as forests and farm land. She thinks there is some land along the river that would qualify and this was a wonderful way to invest in the future of the town, and felt that this was worth looking into. Chairman Madison didn't think the Town was already looking into it and whomever wants such a committee will probably get to chair it. Paul thought it was a good idea, but it needs someone to spearhead it. Jean volunteered to do that, saying that she will attend the meeting of the Litchfield group that is doing this to get some ideas from them.

## **5. CORRESPONDENCE RECEIVED**

**A. FROM: Cemetery Trustees**

**RE: Rules and Regulations Governing Town Cemeteries**

**REFER TO: Town Warrant via Town Attorney**

**B. FROM:** Coleman Kelly, Chairman, Cable Committee

RE: Cable Franchise Agreement Extension

REFER TO: New Business

**C. FROM:** Richard Gendron, Chief of Police

RE: Property for Auction

REFER TO: New Business

**D. FROM:** Jim Michaud, Assessor

RE: Intent to Cut Wood or Timber, Map 14, Lot 125, 20 Parkhurst Drive

REFER TO: New Business

*Motion by Selectman Jasper, seconded by Selectman Stewart, to accept the Correspondence with appropriate referral carried unanimously.*

## **6. OLD BUSINESS**

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### **A. Personnel Policies**

#### **1) Political Activities**

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

#### **2) Additional Chapters**

Deferred to 11/10/97 in order to give Board members time to study this since it was not included in the packet and just recently received.

**B. Sewer Capital Assessment Reserve**

*Motion to approve the guidelines as outlined in the Sewer Utility Committee's memo dated 10/14/97 by Selectman Jasper, seconded by Selectman Charbonneau, carried unanimously.*

**7. NEW BUSINESS**

**A. Cable Franchise Agreement Extension**

*Motion by Selectman Jasper, seconded by Selectman Charbonneau, to approve an extension of the franchise with Americable until February 2, 1998 carried unanimously.*

**B. Property for Auction**

*Motion by Selectman Jasper, seconded by Selectman Charbonneau, to approve the list of items for auction and authorize the Town Administrator to make the necessary arrangements for the auction to take place carried unanimously.*

**C. Intent to Cut Wood or Timber, Map 14, Lot 125, 20 Parkhurst Drive**

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

**8. OTHER BUSINESS**

**A. Judging Cookie Contest at Wal-Mart on November 1**

Selectmen Seabury and Charbonneau will attend. She asked Priscilla to RSVP for them.

**B. Retirement Party for Sgt. William Hurst**

Selectmen Seabury and Charbonneau will attend.

### **C. Ratification of PMA Contract**

*Motion by Selectman Seabury, seconded by Selectman Stewart, to ratify the agreement between the Town and the Professional Management Association to prepare and propose a warrant article to fund the collective bargaining agreement carried unanimously.*

### **D. Lehman Labs**

Selectman Charbonneau said this was a new business that moved into Town and they received an invitation to attend an open house on Sunday, November 9th, from 1-3 p.m. at 6 Wentworth Drive. Selectman Charbonneau said she plans to attend.

(Start Tape 1, Second Side)

### **E. Request for Permit**

*Motion by Selectman Charbonneau, seconded by Selectman Stewart, to approve the request by AMVETS to hold a fundraiser by selling 4-leaf clovers at Market Basket on November 1 & 2 carried unanimously.*

### **F. Emergency Purchase of Fire Engine**

Chairman Madison asked what she was missing. Paul thought they were talking about repairs to the vehicle. Selectman Jasper said no, it was the emergency purchase of Engine 1. Paul said they talked about it Friday night. Selectman Jasper said that was for the warrant; Chairman Madison and Selectman Charbonneau agreed. Selectman Jasper said he thought they were going to talk about the emergency part of the situation. Chairman Madison said she was totally in the dark. Selectman Jasper said they have a truck that is totally out of service with a transmission on the floor. His understanding was that they were going to talk about doing the same thing with a fire truck that they did with the street sweeper--replace it early, then do a

follow-up warrant article to get the approval to keep it. Chairman Madison didn't remember talking about that on Friday. Selectman Jasper said they didn't, but he was under the impression that that was going to happen, having had conversations with the Chief and with Paul. He was told that this would happen the 28th and that what they did Friday night was put the warrant article forth. They ended up putting the cart before the horse and never talked about getting the truck on line.

Chairman Madison asked the Chief if he talked about this with Ann. Chief Carpentino said Paul told him to be present tonight. Paul said the last time they talked, they had decided to wait and see how far they got on Friday night. Selectman Charbonneau said she had a problem with this, because all of them were not informed that this was being discussed. They felt like they were in a fog and didn't know what the heck is going on. Selectman Jasper said he only asked when this was going to go on the agenda. Chairman Madison said they should listen to what Frank has to say.

Chief Carpentino said he forwarded a letter to the Selectmen, requesting that the Town move forward with an emergency purchase of an apparatus, in view of the situation. They had met several months ago, when this first happened. At that time, he requested they hold off on making any recommendation until all of the trucks were tested. He got the results back on September 18 of the pump testing and on the 19th he made the request that the Town move forward with the purchase of a truck. He had obtained financing information and talked with a number of vendors to see what is available. They discussed some of this last Friday night.

Chairman Madison asked him if he was asking to buy a truck now. Chief Carpentino said his recommendation was yes because they are down one truck right now. They should either repair it, replace it, or get rid of it. There is another truck that is not in much better shape than the one that is out of service, so they are down a truck and a half right now. They have to decide whether or not they want to put money into repairing Engine 3, which is a '74, or hold off on repairs and see how far it goes as it is, and then do something when it actually gets in worse shape. It will cost about \$3,500 to repair Engine 3, as it stands now. If, once they start to repair it, they find that more work is needed, the bill will go up. Engine 3 is really not worth more than \$3,500 because of its age.

Continuing, Chief Carpentino said going back to September 19, when they requested a vehicle, it listed the current condition of Engine 1 and the items required to get it back to running right. The high side figures were \$42,000 for major repairs. Chairman Madison said the Board's answer to that was to go to the warrant for one engine. Everyone else remembered it that way, too. Selectman Jasper said they all saw the memo the Chief submitted on September 19th, and he's been waiting to see when this came forward. The truck they are running out of Robinson Road is a two-seat tanker and they cannot carry a crew with their gear and apparatus. The truck has been down since July.

Chairman Madison said that she remembers the memo, but can't understand why the emergency part of this situation wasn't brought to their attention on Friday night. Selectman Jasper said he couldn't see the point of talking about it at that time. Chairman Madison said

the request was for two trucks and they approve one, without a word said about any emergency situation. Selectman Jasper said he misunderstood that no one else knew what was going on. They had sent Frank off months ago, telling him to come back with a solution. Even if they approved buying a truck a month ago, they still needed the warrant because it's a lease-purchase. They can handle this the same way they did with the sweeper. Right now, they don't have fire coverage worth a damn up at Robinson Road. Chairman Madison said this should have been made more clear. Selectman Jasper apologized, saying that he didn't realize that everyone else didn't know the gravity of the situation.

Chairman Madison asked how many working fire engines the Town has. Chief Carpentino said Engine 2 out of Central Station; Engine 4 out of the Burns Hill Station; Engine 3 is on limited service; and two tankers in service, and one isn't even in service because the pump is only capable of dropping water off into another truck. They really have only two engines and a tanker, and the ladder truck, and the ladder truck serves a totally different purpose. It's to elevate, rescue, etc. Different trucks do different things. Mutual Aid is available, but no something they want to use on a routine basis because you wear out your welcome.

Paul said the last time he and Frank talked, it was his understanding to go forward and ask for approval of funding for a new truck and they discussed the potential for purchasing two new trucks. He thought the implication was to do what was necessary for the emergency repairs, even if it might be sinking bad money after good to get the one truck up and running now by making the absolutely necessary repairs and rely on selling issue to the Town. He thought that was what they discussed Friday night. Frank said his recollection was that he said he hadn't gotten an answer yet on the engine and should he do a warrant article or wait. He was told to do the warrant article, which was written because he wasn't going to be able to come and talk to the Board before the budget had to be submitted. He was prepared to come and talk to the Board back in September about the purchase of the vehicle. Chairman Madison said she wished he *had* come earlier. Chief Carpentino said the warrant was written because the budgets had to be submitted and the warrants were to be included in the budgets. There were two warrants written for the trucks. One was written for two; one was written for one. He said he had told Paul he recommended that the needs of the Town requires two trucks. You have one truck out of service and one on limited service. He wanted to make sure the Board is fully aware of the situation by keeping them fully informed so they can't fault him later for not letting them know. He will put the money into Engine 3, but his recommendation is that the \$3,500 is not well spent. He won't guarantee that it won't go out of service the day after it is fixed, because something else may go on it. They've already spent \$12,000 on the truck that has the transmission sitting on the floor right now. In January, they put \$12,000 into the body. Here, seven months later, it is out of service. His recommendation was to move forward right now and buy a fire truck. The Town needs it and the pricing is better now than it is going to be in January and the interest rates are better. He can have a commercial truck with a 325-horse engine, within 60-90 days, at the \$138,000 rate. He suggested adding \$2,000 for compartments and heat protection for the pump, etc., bringing the cost to \$140,000.

Chairman Madison asked if this was in addition to the one going to the warrant. Chief Carpentino said that was the Board's choice, but he wanted them to know that the Town needs a truck right now. They need to replace what's at Robinson Road. Chairman Madison said if they go ahead and get the truck now on lease-purchase and it is not approved at Town Meeting, what happens then? Selectman Jasper said the truck goes back. The other option is to

put a sum equal to one year's payment into the bad truck and, if it is approved, you will have wasted the money. One truck is \$35,000 to repair and the other is \$3,500. Chairman Madison thought the Town would probably approve the purchase. If they need a fire truck, they should get it. If they are supposed to be taking care of the Town by providing fire coverage, they would have to do what was necessary for that.

Selectman Jasper said he was baffled because he thought this was going to be on the last agenda. Paul said that was because they were preparing for the budget cycle and discussing replacement then. Selectman Jasper said he just assumed everyone had some idea of what was going on. Chairman Madison said she read all the memos that came over.

Selectman Charbonneau said she was in favor of getting two trucks and not be penny wise but pound foolish. If the Town knew the problems they have been having with the fire trucks, they would approve the purchase. She was opposed to putting good money into a bad vehicle. She thought the way to go was with the lease-purchase at \$50,000 a year for seven years. Chairman Madison asked if they could go back and change the article. Selectman Jasper said yes. Paul said they talked about conditional warrant articles, "Shall the Town vote to raise and appropriate the money for two and if that warrant article fails, shall the Town..." Selectman Charbonneau agreed with that concept, saying that the Town does need two new trucks.

Selectman Jasper said there is no question that they need to replace both trucks. If it was a sure thing the voters would approve it, he would say to go for the two, but you can't be sure, so he'd feel better with a backup warrant article. If the voters don't approve the two, then go for one. Chairman Madison said they need to make a motion to approve a warrant article for two trucks with a backup warrant article for one truck. Selectman Jasper said they need to reconsider their Friday vote first. Chairman Madison said the wording should be the same as for the street sweeper. Go ahead and do a lease-purchase now, prior to Town Meeting. She didn't realize the Fire Department was in that much of a mess. Chief Carpentino said that's why he forwards so much paperwork; they don't have a lot of time to sit down and discuss all of the issues. Chairman Madison said she has read all of the paperwork, but didn't pick up on the sense of urgency.

Chief Carpentino said the figures he put forth Friday night were based on next year's purchases. If they purchase two vehicles right now, the price of \$150,000 will drop down to \$138,000. If they were going to get rid of both, they would trade in Engine 3 to help offset the cost and if someone buys Engine 1 for the body and parts, they might realize up to \$5,000 for that.

Paul said to pre-purchase, based on a pending warrant article, they still have to overcome the appropriations test and somehow find that in the current budget. Chairman Madison asked what that figure was. Chief Carpentino said to lease-purchase a vehicle at \$150,000 for 5 years is \$33,558 and for \$136,000 for 5 years, it's \$30,425. Selectman Jasper said they'd go back to 7 years if they buy two vehicles. Chief Carpentino said if they go for two, with a 7-

year lease-purchase, with no money down, the annual payment would be \$50,685 and approximately \$54,795 interest during that 7-year period. Selectman Jasper said they'd probably lose the discount, because they're not actually buying two trucks. Chief Carpentino said he'd try to work out a deal with the vendor. They could buy a truck now and if they're happy with it, they will order another one for next year and see if they will hold the price. If he gets the Board's authorization tonight, he will call the vendor tomorrow and they could probably have the truck in 60 days.

(Start Tape 2, Side A)

There was a discussion on the feasibility of going with five year instead of seven. The consensus was that it would be too costly to finance two vehicles for five years.

Motion by Selectman Seabury, seconded by Selectman Stewart, to approve the emergency purchase of a commercial fire truck at \$140,000 to be lease-purchased for seven years, effective immediately carried 4-0. Selectman Jasper abstained because it is a Fire Department issue.

Motion to reconsider the Warrant Article that was approved by the Selectmen on October 24 (relative to a fire truck) by Selectman Seabury, seconded by Selectman Charbonneau carried 4-0. Selectman Jasper abstained because it is a Fire Department issue.

Motion to send to Warrant, the purchase of two fire trucks to be lease-purchased for seven years in the amount of XXX and, in the event that that fails, a backup Warrant Article for one for seven years (Which will be the one the Town is buying) by Selectman Seabury, seconded by Selectman Stewart, carried 4-0. Selectman Jasper abstained because it is a Fire Department issue.

Chief Carpentino recommended stripping Engine 1 and try to sell the vehicle as is since it won't be put back in service and it's just taking up space. Chairman Madison asked for a motion to that effect. Selectman Charbonneau so moved, seconded by Selectman Stewart. Motion carried 4-0. Selectman Jasper abstained because it is a Fire Department issue.

Selectman Jasper said they need to find the money to pay for the emergency purchase. Chairman Madison said it would come from the overtime account. Chief Carpentino said he would get together with Paul tomorrow morning to go over the budget and look at this. Selectman Jasper didn't think it was fair to ask the Chief to look for the funds in his budget. Paul said he and the Chief and Steve would go over the budget and see what they could come up with. The Board agreed to that. The Chief thanked the Board.

## **9. ACCEPTANCE OF MINUTES**

**A. Minutes of the BOS Meeting of 9/23/97**

**B. Minutes of the BOS Meeting of 10/14/97**

**C. Minutes of the BOS Meeting of 10/22/97**

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

**10. COMMITTEE ANNOUNCEMENTS**

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10/30 7:30 Sewer Utility, Small Conference Room

10/31 6:00 - 8:00 Trick or Treat Hours in Hudson

11/01 Fall Cleanup at West Road Landfill

11/04 7:30 BOS/Planning Board Meeting, Selectmen's Meeting Room

11/04 7:30 Recreation Committee at Rec Center

11/05 7:00 Planning Board Workshop, P/Z Meeting Room

11/10 7:30 BOS Meeting, Selectmen's Meeting Room

11/11 Veterans Day Holiday, Town Hall closed

Chairman Madison mentioned that there would be a leaf side curb collection on Saturday, November 8.

**11. REMARKS BY THE SELECTMEN**

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Selectman Charbonneau said the Board made the right decision regarding the fire truck.

Selectman Seabury wished everyone a scary Halloween.

Selectman Madison said they missed Selectman Stewart at the budget meetings Friday night and all day Saturday.

## **12. NONPUBLIC SESSIONS**

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to enter Nonpublic Session under 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 carried 5-0 by roll call vote.

Nonpublic Session was entered into at 8:40 p.m. and was terminated at 10:05 p.m.

### **Votes takes in Open Session**

Motion to hire Myrna Reynolds as Town Accountant, at a salary of \$31,200, starting 11/2/97, by Selectman Jasper, seconded by Selectman Stewart, carried unanimously.

Motion to post the position of full time Accounts Payable-Payroll Clerk, per union contract guidelines, by Selectman Stewart, seconded by Selectman Jasper, carried unanimously.

Motion to increase the salary of the Finance Director from \$46,800 to \$48,960; the Fire Chief from \$57,000 to \$58,995; the Road Agent from \$49,585 to \$51,570; the Executive Assistant from \$32,575 to \$33,878; the Police Chief from \$58,140 to \$59,884; and the Town Administrator from \$58,140 to \$59,884, effective November 2, 1997, by Selectman Jasper, seconded by Selectman Seabury, carried 4-1. Selectman Charbonneau was opposed.

Motion to send to the Warrant a request for \$8,000 for raises for the non-union personnel by Selectman Jasper, seconded by Selectman Stewart, carried 4-1. Selectman Charbonneau was opposed.

Motion to schedule the first two weeks in June 1998 for the Board to review non-union personnel in Nonpublic Session by Selectman Charbonneau, seconded by Selectman Jasper, carried unanimously.

## **13. ADJOURNMENT**

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to adjourn at 10:10 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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**E. Lorraine Madison, Chairman**

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**Rhona Charbonneau**

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**Shawn N. Jasper**

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**Ann Seabury**

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**Terry Stewart**

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