

HUDSON BOARD OF SELECTMEN

Minutes of the March 23, 1999 Meeting

1. **CALL TO ORDER** by E. Lorraine Madison at 7:30 p.m.

2. **PLEDGE OF ALLEGIANCE**, led by Selectman Shawn N. Jasper

3. **ATTENDANCE**

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

Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; David Yates, Recreation Director; Lt. Dave Morin, Fire Department; Len Lathrop; John Drabinowicz; Nancy Regan; Howard Dilworth; Abbott and Annie Rice; Fidele Bernasconi, HLN; Jack Minch, SUN

4. **ELECTION OF CHAIRMAN AND VICE CHAIRMAN**

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to elect E. Lorraine Madison as Chairman carried unanimously.

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

5. **PUBLIC INPUT**

A. Howard Dilworth, 36A Old Derry Road, Selling Your Product -- Howard said his comments to the Board two years ago was amazingly applicable for today. If you want the voters to pass something, you got to sell the product. The easiest way is by cable tv. Here we are nine months into the budget, and there still isn't a camera in the room. Cable tv would go a long way towards helping sell things like Lowell Road. He went to the Visioning Committee meeting last night and they asked him what the Selectmen's position was on some of the issues. He did the best he could, but he's no longer a Selectman, so if the Selectmen would attend the meetings, they would probably appreciate it.

B. Abbott Rice, 28 Sunland Drive, Community Garden -- Abbott said they want to operate the community garden again this year. He hopes to expand it to include two more plots to accommodate 16 requests for a plots. He'd like to explore the possibility of other pieces of Town land to establish neighborhood gardens. Most of the recent developments have a parcel of land designated for a park that could be used. On Forest Drive, there is an acre of flat land that used to be a corn field. Most of the topsoil is gone, but that is the type of place he's talking about and the direction he'd like to go in.

6. **CORRESPONDENCE RECEIVED**

A. From: David Yates, Recreation Director

Re: Increase in Fees

Refer to: New Business/Public Hearing

B. From: Highway Safety Committee

Re: Ordinance 099-01 Installation of Stop Signs

Refer to: New Business/Public Hearing

C. From: Jim Michaud, Assessor

Re: Various Assessing Items

Refer to: New Business

D. From: Laurie Muzeroll, Broker, DesRochers Real Estate

Re: Request for Town-owned Land, Map 44, Lot 110-1

Refer to: New Business

E. From: Bell Telephone Company

Re: Telephone Pole Petitions and Licensing requests

Refer to: New Business

F. From: Richard E. Gendron, Chief of Police

Re: Second-Hand Dealer/Pawnbroker License for Cash Converters

Refer to: Licenses and Permits

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

7. OLD BUSINESS

A. Hudson Firefighters' Memorial

Lt. Dave Morin said the Town Planner felt that it was appropriate to erect the monument at the site of the current Highway garage, but wondered if there were other plans for that site. Chairman Madison envisioned a park would go there. Selectman Seabury said someone suggested converting the old garage into a skateboard rink. The Town Planner envisioned the monument being placed in the middle of the parking lot, just behind the sand piles and wondered if construction could begin before the garage is removed. There was some question on whether or not the Selectmen were committed to that site. Selectman Jasper said the Board couldn't commit to it until after the vote on March 9th, but they authorized fundraising to begin and that Town-owned land could be used to erect the monument.

Chairman Madison recognized Recreation Director David Yates, who said that in last year's CIP, a skateboard park was proposed for the present garage site. Selectman Jasper recalled that during a discussion, it was felt that a good portion of land for that type of activity would be made available at Benson's so it would all be in one place. He feels that the current Highway garage should be razed and the area turned into an attractive park. Chairman Madison said she had gotten calls from people who thought the monument should be placed at one of the fire stations. Dave said there wasn't adequate room. Selectman Stewart still favors the site of the current Highway garage. Chairman Madison said the monument could be at one end of the park and they could put in trees and benches.

Motion by Selectman Jasper, seconded by Selectman Stewart, to authorize the placement of the Firefighters memorial at the site of the present Highway garage and that Town Planning staff be directed to create a master plan for a park for that site to include the memorial

carried unanimously.

Dave said some people have expressed concern about the size of the memorial, which is 19' long, 6' high in the middle, tapering down to 2' ends. Other than the land, everything is being done with private funds. Mr. Pellerin of H. C. Monument in Nashua was upset that he wasn't approached about the project. Dave explained that they chose Hudson Monument, an in-Town business, because they donated the current stone, and they have worked with them in the past.

B. Current Use Penalty Partial Lien Release, Map 23, Lot 17, Lexington Place

Motion by Selectman Jasper, seconded by Selectman Stewart, to sign the Current Use Penalty Partial Lien Release for Map 23, Lot 17, carried unanimously.

Chairman Madison said the money will go into the newly established fund to purchase open space.

C. Student Ambassador Program

Selectman Jasper said this student was selected to represent the State and it would be a shame if Hudson didn't participate. He felt they should reconsider their previous action, but he was not on the prevailing side, so he could not move to reconsider.

Chairman Madison asked for a motion to reconsider. Neither Selectman Charbonneau nor Selectman Stewart responded, so Chairman Madison asked Vice-Chairman Stewart to take the chair.

Motion by Selectman Madison, seconded by Selectman Jasper, to reconsider the motion and allow the sale of raffle tickets.

Selectman Seabury asked Selectman Madison why she changed her mind. Selectman Madison said because of the letter they received (from Mrs. Tingley). Other communities have allowed them to sell raffle tickets. Selectman Seabury asked if Hudson's ambassadors went to other towns to sell tickets. Selectman Charbonneau doubted it, saying they normally ask for donations, or their mothers will have a bake sale. This is the first time she's seen a raffle. This is an expensive program that costs each ambassador \$4,000-\$5,000. She has been asked to be an ambassador in the past. Selectman Seabury asked if they will let the Selectmen know how much they earned, or give some idea of where the money goes. Selectman Madison said all of the backup information was in the last agenda packet. Selectman Seabury said arm-twisting bothers her. Selectman Madison said no one was asking her to change her vote, so no one was twisting her arm. Selectman Seabury said she was referring to the letter. She voted for this the first time, and would do so now, but if this happens again, she will vote no. They should draw from their own local organizations.

Selectman Jasper didn't think there were students from each town going each year. This individual was selected to represent the State as a part of the New Hampshire delegation. He didn't think hundreds of students would be going from the state. It seemed appropriate for Hudson to help out their neighbor and hoped Merrimack would do the same in the future.

Selectman Seabury said this Town has civic organizations that work very hard to help students out; Hudson takes care of their own. She can't understand why Merrimack's civic organizations aren't sponsoring their own student. Selectman Charbonneau said hairdressers have an ambassador program to teach those in other countries how hairdressing is done here. Selectman Madison said if this is passed, it only allows them to come in and sell raffle tickets.

Vote: Motion carried 3-2. Selectmen Charbonneau and Stewart were opposed.

Selectman Jasper said that motion was to reconsider and the original motion is back on the floor.

Chairman Madison resumed Chairmanship and called for a vote on the main motion.

Vote to approve the raffle permit carried 3-2. Selectmen Charbonneau and Stewart were opposed.

(Start Tape 1, Second Side)

8. NEW BUSINESS

A. Public Hearing/Board Action on amending Recreation Department's Fee Schedule

Chairman Madison opened the Public Hearing at 8:00 p.m. and asked if anyone from the audience wished to speak.

John Drabinowicz, 8 Deerfield Avenue, asked what the increases were. Chairman Madison read the following list:

Summer Rec Program (per child) \$25 to \$30

Roller Skating 4 to 5

Men's Softball 25 to 35

Men's Softball N/A to 60

(Grandfathered out-of-towners)

Women's Softball N/A to 50

(Grandfathered out-of-towners)

Basketball (each additional child) 6 to 15

Soccer 20 to 30

Soccer (each additional child) 6 to 15

John asked for justification. Chairman Madison deferred to David Yates, who said costs have increased, so fees must be increased to keep up with the programs, adding that other towns charge much more. John didn't think the justification was adequate and recommended sending this back to the Recreation Committee.

Jennifer Robichaud, 18 Haverhill Street, opposed the increase in fees for the out-of-towners. She has played on the Women's league for 12 years. The majority of players have been together for over four years. She thinks the Rec Committee should have asked the tax-paying league players how they felt about a fee increase for out-of-towners. If the fees are raised, many people will not be able to sign up. The increases are a lot of money, especially if the both the husband and wife are playing, or for single moms. The Town is unfairly penalizing players for moving out of Hudson. Many friendships have been formed and the social aspect is what keeps them in the program. A taxpayer could argue that their money is going to benefit people who don't live in Hudson, but she pays taxes for many things she does not

agree with. It bothers her that people, who are not in the program, who have not gone to a single adult game, make decisions that greatly affect a program that has been in place for many years. It is unfair that the Rec Committee has brought this to the Selectmen without asking the players how they feel. Non-residents who play in the league should have a voice in this, but they don't even know about this meeting because they don't get the HLN. People like her sister, a stay-at-home mom, have played for 11 years in this program and will now have to pay double. She asked the Selectmen not to act on this until after they hear from Town residents who are in the softball leagues if fees should be increased, and then act accordingly.

There being no further comments, Chairman Madison closed the Public Hearing at 8:05 p.m.

Motion by Selectman Jasper, seconded by Selectman Stewart, to adopt the fee schedule carried unanimously.

B. Public Hearing and Board Action on Ordinance 099-01 Installation of Stop Signs on Pine Road and Winslow Farm Road

Chairman Madison opened the Public Hearing at 8:10 p.m. and asked if anyone wished to speak.

Len Lathrop, 31 Winslow Farm Road, said there were already two Stop signs at that intersection, but could see where a third sign could be added to Pine Road from the south. They have had a lot of accidents on Winslow Farm Road, and one fatality. When a cruiser is there several days in a row, traffic slows down. Winslow Farm is a cut-through road from Dracut Road to River Road to the Tyngsboro Bridge. There's much more traffic than they had anticipated when they bought their homes. The Code Book shows two signs on Winslow Farm at McKinney, which were never installed.

There being no further input, Chairman Madison closed the Public Hearing at 8:12 p.m.

Motion by Selectman Jasper, seconded by Selectman Stewart, to adopt Ordinance 099-01 carried unanimously.

C. Assessing Items:

1) Abatement Application, Tennessee Gas Pipeline

Motion by Selectman Jasper, seconded by Selectman Stewart, to uphold the recommendation of the Assessor and sign the Notice of Default carried unanimously.

2) 1998 Abatement Application, Rowal Realty Trusts, 185 Lowell Road

Motion by Selectman Jasper, seconded by Selectman Stewart, to uphold the recommendation of the Assessor and grant the abatement carried unanimously.

3) BTLA Decision, Property Tax Abatement, Lowell Shoe, 1996-1998

Motion by Selectman Stewart, seconded by Selectman Jasper, to uphold the recommendation of the Assessor and grant the abatements carried unanimously.

4) 1998 Abatement Application, 48 Riviera Road, Map 29, Lot 27-150

Motion by Selectman Stewart, seconded by Selectman Jasper, to uphold the recommendation of the Assessor and grant the abatement carried unanimously.

5) 1989 Abatement Application, 18 Partridge Circle, Map 10, Lot 21-15

Motion by Selectman Stewart, seconded by Selectman Jasper, to uphold the recommendation of the Assessor and grant the abatement carried unanimously.

6) Veteran's Tax Credit Applications

Motion by Selectman Jasper, seconded by Selectman Stewart, to uphold the recommendation of the Assessor and approve the tax credit applications carried unanimously.

D. Request for Town-owned Land, Map 44, Lot 110-1

Chairman Madison recognized Town Administrator Paul Sharon, who said this piece of property at Willard and Atwood fronts on paper streets, but Atwood could be opened up to access the piece of property that the Town owns. The Police and Fire Chiefs and Town Planner have no objections. The Town Engineer and Road Agent both felt that the Town should keep that property. Kevin's points out this area could be a potential Chalifoux Road situation.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to inform the requestor that the Board of Selectmen is not interested in selling this piece of property carried unanimously.

E. Requests for Telephone Poles

(Burns Hill Road, Easy Street, Kimball Hill Road and Pine Road)

Motion by Selectman Jasper, seconded by Selectman Stewart, to license the poles, as recommended by staff, carried unanimously.

9. OTHER BUSINESS

A. Lion's Hall

Chairman Madison said she wanted to talk about maintenance of Lion's Hall. Fees collected for Lion's Hall are supposed to be used to improve the property. The hall needs painting badly, but before they do that, they really need to do other major projects first. The Town is seeking bids to do the heating system and one has been received from J. Lawrence Hall.

Selectman Jasper said the ceiling project ought to take place at the same time. They are close enough to the next budget cycle that if they need additional funds, that can be worked together. Along with the duct work, he envisioned a new ceiling going in, with attractive lighting. Currently, it isn't conducive to wedding receptions and things like that. Paul said lighting is not included in the bids and with what's available for the heating system change-over, they would not be able to do the ceiling till Fiscal 00. The proposal asks for a couple configurations of the duct work. Selectman Jasper would like to see the lighting tied in. Lydia

had set up a fund dedicated to that account. In addition, there are other sources to draw from, such as the Kirby Building. To be cost effective, they should do the three components at one time. Different contractors, but the timing should dovetail with each other. Paul said Lion's Hall doesn't pay for itself. Chairman Madison said if the hall is attractive enough, it may.

Selectman Charbonneau asked if bids went out for the work. Paul said they were quotes, not formal bids. Selectman Charbonneau asked where this was advertised. Paul said it wasn't; they were proposals. Selectman Charbonneau asked how the Town could get bids if it wasn't advertised. She thinks the proper way is to notify people in the State that work needs to be done. They can't get good bids unless it is opened up to a lot of people. Paul said that for a project this size, it was sufficient to notify local HVAC people in order to get a good price and then a recommendation would go to the Selectmen. Selectman Charbonneau said if it isn't State-wide, it's not a fair bid. Chairman Madison asked her if she wanted to make a motion. Selectman Jasper said this isn't a bid, it's a solicitation for proposals. If they put it out to bid, it would take a log of engineering work. This isn't a whole heating system, it's just duct work. Contacting people who normally do this type of work is sufficient for this type of project. Selectman Charbonneau thought a new boiler was needed, too, but Paul didn't think so and Chairman Madison added that the boiler isn't a problem at this time.

Chairman Madison recognized Fidele Bernasconi, who said the big sign across the front of Lion's Hall is hanging at a precarious angle. He recommended fixing it to avoid a lawsuit.

(Start Tape 2, Side A)

B. Combined Dispatch

Selectman Stewart asked for an update on the status of combined dispatch. Paul said the two Chiefs are still working on the RFP.

C. Kirby Building

Selectman Charbonneau asked if the Kirby building was going to be used for something, or if it was just going to sit and deteriorate. She thinks it is a disgrace something wasn't done with it years ago, when they first bought the land, adding that it's a waste of taxpayer money. Chairman Madison said she will be meeting with staff on April 1 with regard to the Kirby Building. They will bring the results of their discussion to the full Board.

D. Comp Funds of NH vs NHMA-PLIT

Town Administrator Paul Sharon said back in the 80's, when the insurance market dried up for local governments, most states formed insurance pools through their municipal associations. Currently there are two insurance pools that have been successfully operating in New Hampshire. One, under the auspices of the NHMA, is Public Liability Insurance Trust and the other is Comp Funds of NH, which is the Workers Comp side. Both are quasi-public insurance pools. In the last couple of years, they started to have difficulty getting along with each other and the Comp Funds board has decided that they want to broaden their product line to include everything the NHMA is offering, like liability insurance. The NHMA Trust decided that they had to react and offer Worker's Comp products and it's raising some concern with the Government Finance officers and managers and administrators. It could end up with them tearing each other up and the cities and towns having no good insurance pool to rely on. The Directors of NHMA-PLIT requests that the two board convene and see if they can iron out their differences and ensure that the municipal clients end up with the best possible product.

Paul said part of the request is to have the two boards meet with a facilitator and to make a

statement to all of the cities and towns. Chairman Madison said the letter from NHMA asks towns if they feel that NHMA and CFNH should cooperate rather than compete, and is asking local governing bodies to take a formal position on this and communicate that to NHMA and CFNH as soon as possible.

Paul said one of them is run more like a private insurance company and wants to broaden their market to become a one-stop shop, which will drive the other one to do the same. Selectman Charbonneau said they need more information on this because one of those organizations is having problems. She will look into it tomorrow. Chairman Madison suggested deferring this until the next meeting to give Selectman Charbonneau a chance to come back with the information. Selectman Charbonneau thought that was a good idea. Chairman Madison wondered if that would be too late to send a letter. Paul didn't think so. Chairman Madison asked Priscilla to put this item on the April 13th agenda.

10. LICENSES AND PERMITS

Second-Hand Dealer/Pawnbroker License for Cash Converters

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

11. ACCEPTANCE OF MINUTES

BOS Minutes of March 8, 1999

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

12. COMMITTEE ANNOUNCEMENTS

~~3/24 7:00 Planning Board in the P/Z Mtg. Rm. (Meeting canceled)~~

3/25 7:30 ZBA in the P/Z Mtg. Rm.

3/25 5:45 NHMA 1999 Regional Dinner @ Sheraton in Nashua

3/26 3:30 Swearing in Ceremony for Sgt. Bianchi @ HPD

3/26 2:00 Cable Meeting in BOS Mtg. Rm.

4/01 10:00 CED Ribbon Cutting Ceremony, 151 Main Street, Nashua

4/05 7:30 Conservation Commission in P/Z Mtg. Rm.

4/06 7:00 HEDCorp in P/Z Mtg. Rm.

4/07 7:00 Planning Board in P/Z Mtg. Rm.

4/08 7:30 ZBA in P/Z Mtg. Rm.

4/08 7:30 Sewer Utility Committee in Small Conference Room

4/13 7:30 BOS in Selectmen's Mtg. Rm.

13. LIAISON REPORTS

Chairman Madison asked members to let her know the assignments they would like for the upcoming year.

Selectman Stewart said the Fire Chief and his crew have been very busy renovating their building and it's coming along nicely. They were ready to move in almost before the vote was counted!

14. REMARKS BY THE SELECTMEN

Selectman Jasper said the Selectmen owe the voters an apology for the inexcusable condition of Lion's Hall on March 9. It smelled bad and the floor was filthy. The contractor claimed it was washed twice, but Coleman Kelly washed a little spot on the floor and there was a considerable difference. It may have been mopped twice, but mopping with dirty water and bleach doesn't do any good. It was embarrassing to have people continually asking what the awful smell was. If he is ever in that hall again and the building is in that condition, he will move to terminate the contract for non-performance of duty and look for a new contractor.

Selectman Charbonneau didn't think much could be done to improve the floor at Lion's Hall, short of replacing it, adding that there is a big crack across the middle of the floor, which someone could get hurt on. The bathrooms are atrocious. They have to look at a number of things in that hall.

Selectman Stewart dittoed the previous speakers' comments.

15. NONPUBLIC SESSIONS

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to enter Nonpublic Session under 91-A:3 II (b) The hiring of any person as a public employee and (d) consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, likely would benefit a party or parties whose interests are adverse to those of the general community carried unanimously by roll call vote.

Nonpublic Session was entered into at 8:35 p.m. and was terminated at 8:44 p.m.

Motion by Selectman Jasper, seconded by Selectman Stewart, to hire John Hall as the Softball Director for the Men's and Women's Leagues for the 1999 season for the fee of \$850 carried unanimously.

16. ADJOURNMENT

Motion by Selectman Jasper, seconded by Selectman Stewart, to adjourn at 8:45 p.m. carried unanimously.

Recorded and Transcribed by Priscilla Boisvert

Executive Assistant to the Board of Selectmen

HUDSON BOARD OF SELECTMEN

E. Lorraine Madison, Chairman

Rhona Charbonneau

Shawn N. Jasper

Ann Seabury

Terry Stewart