

**HUDSON, NH BOARD OF SELECTMEN
Minutes of the Meeting of January 8, 2002**

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

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

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3. **ATTENDANCE**

Selectmen: Ann Seabury, Rhona Charbonneau, Robert E. Clegg, Jr., Shawn N. Jasper & Terry Stewart

Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Stephen Haight from Herbert Associates; Atty. Bill Mason; Ed Caban; Arlene Creeden; John Knowles; George Hall and Rich Maddox from the Planning Board; Mike Juliano, Hudson United Soccer; Howard Dilworth, Jr.; From the Fire Department, Frank Carpentino, Chief; Gary Rodgers, Deputy Chief; Todd Hansen, James Paquette, Joe Triolo, Jeff Sands, Jason Fritz, Glen Telegen, Eric Lambert, Torrey Demanche and Helen Cheyne; Ann, TEL; Len, HLN; John, Derry News; and several unidentified individuals

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4. **PUBLIC INPUT**

Georgia Flynn, 84-B Greeley Street said she came before the Board several months ago with complaints about a serious drainage problem on Greeley Street. She realizes that the Board is going to discuss this in Nonpublic Session, but they would appreciate the Board's help in authorizing paying for part of the improvements. If the developer is told he must pay for all of the improvements, he will walk. Chairman Seabury said the Planning Board was shown a video of the drainage problem at the gravel pit, where the duplexes face inward. The water washing down into that area was mid-calf. There is a major problem out there. Greenleaf Estates is a proposed development at the top of the hill. The original developer probably realized there were going to be major drainage problems. Ms. Flynn thought the price tag was around \$120,000.

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Atty. Bill Mason represented the developer, who has a plan before the Planning Board for a nine lot duplex subdivision called Greenleaf Estates. Part of that process gave rise to many of the concerns that people who live in that area have. The Selectmen had asked the Planning Board to have a drainage study done by the developer. His client did that, and more. SEA Consultants concluded that the development of that property, with the proposed drainage facilities on that 9-lot subdivision, would not have any additional impact on the drainage situation on Highland I and Highland II. The developer had a drainage study done of the whole area to determine the sources of the problems and what could be done to improve that situation. Herbert Associates, the engineers on the nine-lot subdivision, did the drainage review of the whole area. The developer also paid to have the drainage study reviewed by SEA, the Town's consultant. Some of the problems in Phase I and II are the result of the development of abutting pieces of property, which drain down and across Greeley. Some of the problems are the result of the construction of the homes in which the elevation of the homes were in the water table for Highland I and Highland II. The proposed nine-lot subdivision does not exacerbate those problems. It is neutral with regard to drainage or storm water impact on Highland I and II. They went before the Planning Board and, trying to be pro-active, discussed what they might be willing to do with the Planning Board in trying to alleviate the problems. They won't solve the problem, nor do they feel obligated to, with regard to their subdivision, but they are willing to help to do something to improve the situation. They don't view it as an off-site impact obligation that they have, as they don't feel that they have created any additional off-site problems. In their last meeting with the Planning Board, there was a suggestion by the Planning Board Chairman that part of the problem in this area could be improved if the culvert under Highland Avenue was upgraded and replaced. Atty. Mason said his client expressed a willingness to do that. In order for them to do that, it involves some participation by the Town because there would be dredge and fill permits that the Town would have to sign the applications for. Some easements might have to be obtained in order to carry the increased water supply that is currently trapped in Highland I and II across the roadway. The SEA report indicates the cost of improving the culvert on Highland Avenue is approximately \$20,000. His client has spent nearly \$25,000 for the overall drainage study and for SEA to review the drainage study. They are willing to spend an additional \$20,000 to improve the situation by improving the culvert that goes under Highland Street, together with the related drainage and flowage easements that the Town could have to obtain. He asked the Board to consider if they will participate in terms of signing the applications and obtaining the easements. His client is willing to pay for the engineering and the actual work, the scope of which is outlined in SEA's report. Not counting the impact fees that has to be paid for each of the nine lots, the developer will have spent approximately \$45,000 to improve the situation, but they don't think they will have solved the problem because it is only a part of a bigger picture. The developer won't be responsible for the resolution of the problem. He thinks the Town and the people living in the neighborhood have to be willing to participate in terms of improving the situation. They can't say it's all the Town's fault. He asked the Board to consider his proposal and then let the Planning Board know their decision.

John Knowles, 51 Quail Run Drive, asked the Board to recommend the petitioned warrant article for \$15,977 for comparability adjustments for professional employees of the library. If anyone in Town is underpaid, it is the library people. The library is not like emergency departments, where there is an immediate service effect received, but it is vital to the history and the intellectual and spiritual core of the Town. Having a good library is not just fluff for the Town. It's important for good people to be paid well but, even with this article, they aren't going to be paid a whole lot. It is an issue of fairness and consistency to give a moderate increase to the library people.

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Chairman Seabury said the Town was taken to task by the Budget Committee for not putting in percentages and asked what percentage this increase was. Mr. Knowles did not know. Selectman Charbonneau said the Board already recommended a 4% across the board pay increase for library personnel, but they did not go along with the request for substantial increases for two of the employees. Mr. Knowles said the Selectmen recommended pay increases for other personnel, as well, not that the Budget Committee always agreed with them. Selectman Charbonneau said the Budget Committee didn't vote for any of the union contracts or pay increase warrant articles, with the exception of the Police Department. Mr. Knowles said he wasn't representing the Budget Committee. Selectman Clegg asked Mr. Knowles how he voted on those contracts. Mr. Knowles said he did not vote for all of them as they were not sufficiently justified to the Committee. He might be convinced to change some of his votes.

Selectman Stewart said this is the same warrant article that the Board voted against a month ago, mainly because the two individuals are not only getting a 4% increase, but several thousand on top of that. She didn't know how many people "out there" will get a \$12,000 raise this year. That is hard to justify to the average resident in Town.

Ed Caban, 86-A Greeley Street, said regarding Greeley Street, there were originally 18 lots proposed, changed to a nine-lot duplex development. They downsized the retention area because the number of lots was reduced. However, he didn't see any difference between 18 single lots or nine duplex lots. There is a lot of water on the hill. He has read their study and has walked the site. He wanted to know where the water was going to go when the reservoir is filled to capacity. Water has to go somewhere; it doesn't just disappear. Chairman Seabury said there is a development in Town that has been the bane of their existence. Consultants have been hired to try to correct it. She said he is fortunate that it's not being built and then correcting it afterwards. That's what the Town is trying to do in this one lot, which is physically impossible. Those poor people are going to be rebuilding their roads forever because of drainage issues. Springs come out of the hills everywhere. Basements are flooded. It's a nightmare. The Board can assure them that this won't go forward unless they are absolutely sure that they are not going to be going through this horrendous ordeal that has been going on for five to six years. The Town has got a new engineer now and, hopefully, he can give a different perspective. The Town has had wonderful results with SEA. They will try to protect the people living in the area as much as they can and try to solve a drainage problem prior to the first spade being stuck in the ground.

Stephen Haight, and Engineer with Herbert Associates, had some plans, which he displayed. A previous developer owned 29 acres. Mr. Haight's client bought the property about three years ago and is proposing a nine-lot duplex subdivision with about 18 acres of open space. Phase I was one island; Phase II was on Greeley Street. The duplexes face in. The previous drainage design was based on a different configuration. They are putting in 600' more of road with the duplex lots. What was done before by a previous developer was never recorded. It doesn't exist. SEA has been over this several times to analyze it because of the abutters' concerns. He has done everything possible to alleviate and show what they can do to accommodate that. The Selectmen made a recommendation to the Planning Board. The Planning Board asked for an analysis, which was done. His client paid SEA to review that and do their own analysis. He has every plan from Phase I and Phase II and their history, if there are any questions.

Selectman Jasper asked if this was an elevated subdivision off a stub of a road, off Greeley Street. Mr. Haight said yes, using the map to indicate the exact area. Selectman Jasper asked if there was the possibility of further development in the old gravel pit. Mr. Haight said no, the parcel is done. Selectman Jasper asked if the owner of the parcel also owned the gravel pit. Mr. Haight said no (not discernable). The remainder of the open space lots will be divided into nine equal parts. In owning a lot, you own 1/9th of the open space. Selectman Jasper clarified that there is no additional land in that whole area that is not a part of some subdivision. Mr. Haight said no. Chairman Seabury said that was a good point because when Belanger brought in the original plan, he had many houses in the gravel pit in Phase II and then Phase III was on top of the hill. Selectman Jasper said it would be nice to see a map that included everything. Mr. Haight said he could get that. Chairman Seabury said they'd really like to know who owns the gravel pit. Mr. Haight said the gravel pit is subdivided betwixt the duplex lots, pointing to the map as he explained which ones he meant. Chairman Seabury said they need to find out what the gravel pit lots encompass because the original plan had many houses in the gravel pit. Mr. Haight said he had those plans, too, which he displayed, saying that was Phase III off Highland Acres. Selectman Jasper said when this is discussed later in nonpublic, they will have the opportunity to look more closely at everything this encompasses. (Mr. Haight left his maps.)

5. CORRESPONDENCE

- A. From: Tom Sommers, CLD
Re: •Sewer Acceptance for Thurston's Landing West
•Addendum #3 of the GZA Geoenvironmental Contract for Well Water Sampling at the Burns Hill Landfill site
•Sewer Allocation for 193 Lowell Road, Map 10/Lots 10 & 11-5
Refer to: New Business
- B. From: Jack A. Szemplinski, Benchmark Engineering
Re: Gibson Road Improvements
Refer to: New Business
- C. From: Steve Malizia, Finance Director
Re: Ambulance Billing Rates for 2002
Refer to: New Business
- D. From: Jim Michaud, Assessor
Re: Various Assessing Items
Refer to: New Business

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

6. NOMINATIONS AND APPOINTMENTS

Reconsideration of vote taken on December 18, 2001 regarding NRPC Appointment. (Term expiration should be 2005, not 2004, as NRPC appointments are for four years.)

Motion by Selectman Jasper, seconded by Selectman Stewart, to reconsider to vote taken on December 18, 2001 appointing Howard Dilworth to

a three year term at NRPC carried unanimously.

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Motion by Selectman Jasper, seconded by Selectman Stewart to appoint Howard Dilworth to the membership position that carries a term expiration date of 12/31/05 carried unanimously.*

7. NEW BUSINESS

A. Hudson United Soccer Field (on 102, near Hills Garrison School)

Chairman Seabury said a concern was to leave an opening in case the Town might want to exercise their option to put in a roadway in the future. Mr. Juliano said on October 23, 2001 when the Board of Selectmen authorized the use of that land for a soccer field, it was requested that Hudson United Soccer come back with a set of plans for submittal. They hope to get started in the spring. Mr. Sharon asked how the field would be accessed. Mr. Juliano said the cost for the access road to get to the parking lot was included when they submitted the grant. The parking lot will have 41 spaces.

Motion by Selectman Jasper, seconded by Selectman Clegg, that Hudson United Soccer be authorized to proceed to the Planning Board with the plans as presented this evening carried unanimously.

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Mr. Juliano said Hudson United Soccer is changing their colors to match Alvirne's.*

B. Sewer Acceptance for Thurston's Landing West

Motion by Selectman Clegg, seconded by Selectman Stewart, to accept the sewer, as recommended by staff, carried unanimously.

C. Addendum #3 of the GZA Geoenvironmental Contract for Well Water Sampling at the Burns Hill Landfill site

Motion by Selectman Clegg, seconded by Selectman Charbonneau, to approve Addendum #3 in the amount of \$13,500 as outlined in Tom Sommers' letter dated 12/19/01 carried unanimously.

D. Sewer Allocation for 193 Lowell Road, Map 10/Lots 10 & 11-5

Motion to approve by Selectman Charbonneau, seconded by Selectman Stewart, as recommended by the Sewer Utility Consultant, carried unanimously.

E. Gibson Road Improvements

Chairman Seabury said this is a new subdivision off of Gibson Road. The contractor is going to do some road widening from his subdivision down to Kimball Hill Road.

Motion to approve by Selectman Clegg, seconded by Selectman Charbonneau, as recommended by staff carried unanimously.

(Start Tape 1, Second Side)

F. Ambulance Billing Rates for 2002

Chairman Seabury said the Finance Director has submitted to the Board of Selectmen the new ambulance billing rates from Comstar, effective January 1, 2002.

Motion to approve by Selectman Charbonneau, seconded by Selectman Clegg, as outlined by the Finance Director carried unanimously

G. Sewer Abatement Requests (52 Ferry St, \$10.71; 18 Sutherland Dr, \$69.05; 9 Megan Dr, \$40.48)

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to grant the abatements listed in S-02-03, as recommended by the Sewer Utility Committee, carried unanimously.

H. Assessing Items

1) Abatement Request (9 County Road, Map 46/Lot 26)

Motion to grant by Selectman Clegg, seconded by Selectman Stewart, as recommended by the Assessor, carried unanimously.

2) Application for Disabled Exemption (8 Beaver Path, Map 012/Lot 008/Sublot 012)

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

3) Abatement Request (284 Lowell Road, Map 8/Lot 45)

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

I. Petitioned Warrant Articles

Chairman Seabury believed that if petitioned articles were valid, the Board has to forward them to the Warrant. Selectman Jasper said they have to also include whether or not the Board recommends them.

1) Comparability adjustments in Wages and Benefits for Professional Employees of the Library

Motion by Selectman Jasper, seconded by Selectman Clegg, to recommend this article.

Selectman Jasper said this is essentially the same article that has come before them already, so he opposed his motion. He would support some amount of comparability increase, but not \$15,977.

Vote: Motion failed 0-5.

2) Request for Sidewalks/Street Widening on Musquash Road, Burns Hill Road, Wason Road, Sanders Road & Dracut Road

Chairman Seabury said when they receive warrant articles, they are placed in a difficult and tenuous position. They can't give advice and assistance because, if something goes wrong, the person can say they received input from staff. This article is very poorly written. It doesn't ask a question. They didn't do a great deal of homework, but it has to be forwarded. She feels badly for the people who worked knocking on doors and getting signatures, but it is written inappropriately. Last year, they forwarded one that was a sheer disaster and it got blown right out of the water because it was improperly worded. She's afraid the same thing is going to happen to this one.

Motion by Selectman Jasper, seconded by Selectman Clegg, to recommend.

Selectman Jasper said this article is advisory in nature only and has no plans or monies attached to it. If the Selectmen recommend it, it would only give false hope that some action might be taken. As written, there is no hope for that. Selectman Clegg thought the Town Attorney or the Board of Selectmen had the right to word the question for any petitioned article, as long as it made sense. Mr. Sharon said the Board has no right to amend any petitioned article. Selectman Clegg said not to amend it, but to form the question, as long as it doesn't change the intent of the article. Mr. Sharon said they had one submitted last year and it appeared on the warrant as submitted, based on the recommendation of the attorney.

Vote: Motion failed 1-4. Selectman Clegg voted in favor.

3) Incompatibility of Offices

Motion by Selectman Clegg, seconded by Selectman Stewart, to recommend.

Selectman Clegg said his thoughts have not changed since this originally came before the body, so he will be voting no on the motion. Selectman Jasper said he wasn't going to speak to the motion, but requested the opinion of the Board. As it has been stated, this is not personal and did not come forward by action of the Board, he requested an opinion of the Board as to whether he has a conflict in voting on a recommendation. Selectmen Clegg, Charbonneau and Stewart said they didn't have a problem with that.

Vote: Motion failed 2-3. Selectmen Charbonneau and Seabury voted in favor of the motion.

Motion by Selectman Jasper, seconded by Selectman Clegg, to forward the three articles to the Warrant, as not recommended by the Selectmen.

Selectman Jasper asked to amend the motion. Since the Ethics Committee is the overseer of the Ethics Ordinance, he'd like their recommendation or non-recommendation on this petitioned article. Selectman Charbonneau said the Ethics Committee sent it back to the Selectmen because they didn't want to be involved in it. She didn't think they would make a recommendation on it. Chairman Seabury agreed. Selectman Jasper said, just as the issue of raises came forward to the Selectmen, who decided not to send it forward, it came back for a recommendation. The Ethics Committee has not taken a stand on the wording of anything at this point. As the overseers of the Ethics Ordinance, it is only proper that they have the right to make a recommendation to the voters. When the Selectmen had asked them for a recommendation, they said that was not their job. Now that it comes to them with a request for a recommendation, they will vote either yea or nay on it. They never made a ruling, other than to say they weren't going to get involved. Selectman Charbonneau said the Selectmen asked them for a ruling, but they refused, they sent it back, so that is why they moved forward. She didn't see why it would go back to the Committee. Mr. Sharon believed only two bodies have the power to make recommendations on non-planning and zoning articles and that is the Budget Committee and Board of Selectmen. The Board needs to move petitioned articles forward, as presented, as long as they meet the requirements and vote to recommend or not recommend. The Board of Selectmen is the only agency that can, within the Town. Selectman Jasper said that well may be, and withdrew his amendment.

Vote: Motion to forward all three petitioned articles to the Warrant carried unanimously.

Motion by Selectman Jasper, seconded by Selectman Clegg, to put the question to the Town Attorney as to whether the Ethics Committee has the legal ability to make a recommendation on a petitioned amendment to the Ethics Ordinance and, if the answer is yes, that this be forwarded to the Ethics Committee for their recommendation.

Selectman Charbonneau opposed the motion, saying the Selectmen already submitted it to the Ethics Committee, but they sent it back to the Selectmen. She didn't think it was necessary now to work through an attorney. Chairman Seabury there were time constraints to consider. Selectman Jasper said if the attorney doesn't come back with an opinion in five days, there won't be anything from the Ethics Committee. The Selectmen had originally requested them to draft an ordinance. The Town Attorney drafted one. The Committee did not wish to send it forward. That is not to say the Committee will not have an opinion. They may say they found this to be well drafted, or they may not. If it was an appointed body, he wouldn't suggest it, but the Ethics Committee is an elected body and are not appointed by the Board of Selectmen.

Selectman Charbonneau said the people who signed the petition have the right to put this before the Townspeople and let them make the decision. The people got this warrant article out legally and she didn't know why they were dancing around the subject. Selectman Jasper resented the statement that they were dancing around the subject and no one suggested anything was done illegally. To suggest that by getting a recommendation by the Ethics Committee, the Ordinance would not go on the ballot is misleading. Clearly, it does. To suggest that everything should go forward with a positive recommendation is contrary to the vote of the previous speaker this evening on other issues. He is confused by the position taken by Selectman Charbonneau.

Chairman Seabury said she sat in on the Ethics Committee meeting impression they didn't want to touch it. They weren't happy with it and that's why they turned it back to the Selectmen. It wasn't passed at a regular meeting, so that is why it came in as a petitioned article. If this goes to the Ethics Committee, they will probably do the same thing again. She didn't have a problem with that, as long as it goes to the ballot.

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

8. **OTHER BUSINESS**

A. **Kimball Heights II**

Selectman Jasper said in October, the Board gave a 90-day extension to Kimball Heights II. That time will have expired prior to the Board's next meeting. He asked what the status of the plan was. Planning Board Chairman George Hall was recognized who said that item is on the Planning Board's agenda for Jan. 28. However, the Planning Board appealed the Zoning Administrator's determination of the number of units, so that is still up in the air. The Zoning Board overturned the Zoning Administrator's determination on a number of lots, which put it back to him to re-look at it and come up with an appropriate number of lots. Even if the 90 days expires, the Planning Board can't do anything until it has been determined how many lots are appropriate under the open space development. Chairman Seabury told Selectmen Jasper not to roll his eyes because they were building on conservation land and roads in wetlands. Selectman Jasper said he is on record as not being fond of this development. He sees huge legal bills on the horizon, and that was why his eyes were rolling. Chairman Seabury said not if they get a good judge.

B. **Budget Hearing on Thursday Night, January 10, 2002 at Library Street School**

Chairman Seabury asked the Board to join her at Library Street School budget public hearing to defend the budget. She pulled some GIS information out of General Read to give to the Budget Committee because they have supported this effort. She wants to show them that their money is being spent wisely. There is also something from Gerry Coogan, the Grant Writer, outlining the projects he is working on that she wants to show to the Budget Committee, too so they can see the money is actually working for the Town.

C. **Warrant Article Language "Selectmen as Agents to Expend"**

Selectman Jasper said the Board was going to revisit some warrant articles relative to the Board being the agents to expend, particularly in the water company capital reserve account.

Motion by Selectman Jasper, seconded by Selectman Stewart, to strike from the water capital improvements article the phrase, "The Selectmen are designated as agents to expend," carried unanimously.

Chairman Seabury agreed that some people have had problems with that verbiage in the past. Selectman Jasper said there are a couple of other articles that have that phrase included, but he didn't think they would make any difference with the Budget Committee. Once was the combined dispatch center and the vote was overwhelmingly negative due to the fact that there wasn't any current information on what was going to happen with that.

D. **Solid Waste Contract**

Chairman Seabury said this year, they are going to have to start negotiating for a new solid waste contract. She and Selectman Charbonneau plan to attend a regional, elected officials-only meeting at Primex at which time solid waste issues will be discussed. If anyone else wants to join them, they are welcome.

E. **Lions Hall**

Chairman Seabury said Kevin Burns has been tied up with Lions Hall, referring to the hole in the building when someone drove through it. She went to take a look at it, along with other Selectmen. It has since been repaired. The conditions she witnessed that morning were deplorable. There was broken glass and beer bottles in the parking lot, the building reeked of alcohol and there was garbage in the sink. Maybe the Board unjustly maligned Richard Young. Poor Kevin has to send his men in to clean the hall. They were too quick to make a judgement and it wasn't appropriate. Her beach cottage was built in 1924 and no matter how hard she cleaned, it never looked clean. It had old plumbing, wiring, and cracks in the floor. When the pilings no longer reached the floor, they knew they had to do something about it. Lions Hall also needs tremendous renovations and it is very hard to keep the place clean, no matter how hard you try. You can't make old stuff look new.

Selectman Clegg thanked the Fire Department who came out when that accident happened, some of them with their own tools, to block up the hole. Bill Oleksak came out, as Brian Mason and Lee Lavoie to help straighten things out. As far as whether they made a mistake relative to the cleaners, typically, you sweep a floor before you wash it. They watched as the cleaners washed the floor without sweeping it first. He didn't think they made a bad decision.

Selectman Charbonneau asked if anyone has bid on it yet, or if it went out to bid. Mr. Sharon said yes and they are due in about a week. Three have come in so far. Chairman Seabury asked if they are opened upon receipt, or if they have to wait. Mr. Sharon said these are informal; proposals, but not sealed bids. The results are mixed.

(Strat Tape 2, Side A)

Rental Agreement Chairman Seabury said they are trying to get some control over the building. She has learned a good lesson—the Town should not be landlords. They are going to be asking for deposits, etc. Selectman Stewart said she didn't see what the fee is for the hall itself. Mr. Sharon said that's a separate issue, which will require a public hearing. The most important part of all of this is getting a deposit. If the Board is willing to put this rental agreement into place, he would appreciate the Board giving some latitude in allowing them to make small changes from time to time, without having it re-approved. Chairman Seabury asked if this was going to be for nonprofit groups, such as giving blood, Fright Night, etc., or if it was just for renting out to others. Mr. Sharon said it does not involve those that they currently allow to use the hall on a gratis basis, ie, the Seniors, WIC, Meals on Wheels and the Boy Scouts. Otherwise, it establishes a deposit for virtually anyone, including non-profits. Chairman Seabury asked how it would work if a youth group damages something. Mr. Sharon said it would come out of the deposit. Chairman Seabury asked how it would be handled if the Scouts get over-zealous in their activities. Mr. Sharon said it would be taken out of the deposit. Chairman Seabury didn't realize the Scouts had to make a deposit.

Motion by Selectman Stewart, seconded by Selectman Jasper, to approve the rental agreement carried unanimously.

9. **LICENSES AND PERMITS**

Hudson Speedway 2002 License Permit

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve, with dates as amended, and in full compliance with stipulations of the Chief of Police, Fire Chief and Community Development Director in their memos submitted with the application carried unanimously.

10. **ACCEPTANCE OF MINUTES**

Minutes of the Selectmen's Meeting of December 18, 2001

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

11. **COMMITTEE ANNOUNCEMENTS**

01/09 7:00 Planning Board/Public Hearing on Zoning Amendments in CD Meeting Room
01/10 4:00 Benson's Committee Meeting in BOS Meeting Room
01/10 7:00 Public Hearing on the Budget at Library Street School
01/10 7:30 ZBA in CD Meeting Room
01/14 6:30 School Board in BOS Meeting Room
01/14 7:30 Conservation Commission in CD Meeting Room
01/15 7:00 If needed, 2nd Public Hearing on the Budget in CD Meeting Room
01/21 Town Hall closed for Martin Luther King Holiday
01/22 7:30 BOS in BOS Meeting Room
01/23 First day to file for candidacy
01/23 7:00 Planning Board in CD Meeting Room
01/24 7:30 ZBA in CD Meeting Room
01/28 Last day to post the Warrant
01/28 6:30 School Board in BOS Meeting Room
01/31 7:30 CIP in CD Meeting Room
02/01 Last day to file for candidacy

02/02 School District Meeting at Memorial School
02/09 9:00 Annual Town Meeting at Memorial School

12. **REMARKS BY THE SELECTMEN**

Selectman Clegg thanked Sean Sullivan and Steve Malizia for all of the work they did putting together the numbers on the Lions Hall, which is currently running at a deficit with actual expenses. Under the new fee structure, everything should be covered without taking money out of the general fund. Whenever he e-mailed with a question, he got his answers back right away. He thanked Paul, too. The prisoners are painting it. Chairman Seabury wondered if there was any money available to do the bathrooms. Selectman Clegg thought that was possible.

- **Selectman Stewart** said she has always been supportive of the Fire Department and it pained her to make the following statement:

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I feel the residents of Hudson should be made aware of the actives of the Fire Fighters Union. The union has chosen at this time to enforce a Union National Bylaw which forbids union members from giving or volunteering their services in their home towns as either call firefighters, emergency medical technicians, or police officers of any kind. Why? By using this by-law they have just about wiped out the call fighter force in Hudson. Again, why? According to the letter that was sent to four of our dedicated call fire fighters which states, "for the good of the Union, I am requesting that you resign from your position as on-call firefighters with the Hudson Fire dept." Note these call firefighters are full time in other communities, not part of Hudson's local union, but a part of the national. The full time members of Hudson's Fire Department union are not being asked to comply with the same by law. Why are they doing this? For the good of the Union? What about the good of the Town of Hudson? Don't the residents of Hudson deserve the best? What this has accomplished is that the union has reduced the members of the call-force by four, four of its most trained and experienced members at time when they are needed most. This International Fire Fighters by-law is seldom enforced because many firefighters serve their home communities as volunteers and call firefighters, as well as in law enforcement. This is a way to give back to the community that they live in. Isn't that what living in a small town should be about? Again I ask, why now? Will the union also call for enforcement of the bylaw against the eight or 10 current full time union members of the Hudson Fire Department or is this only enforced against volunteers to Hudson? There are a few Hudson Fire Fighters who serve in the towns that they live in outside Hudson. Is the union currently filing charges against them, as they have our volunteer firefighters, to give up their call status in their home towns and destroy those departments? Again, are they? And why is the former Selectman, now living in Florida, so concerned about the Ethics Ordinance which was designed to eliminate only one certain member of the Board? She wasn't concerned enough to stay and fulfill the obligation she was elected to. The grudge matches have ended--perhaps she is unaware. And why is the President of the Fire Fighters Union passing around the petition for the warrant article on her behalf? I have asked the question why and now the people of Hudson should also ask the question. The answer I received was listen to the union prospective before judging. I have a difficult time listening to why someone would stop a taxpayer in Hudson from volunteering their professional services. I have a difficult time understanding why it is only Hudson Fire fighter union members who are allowed to volunteer in communities they live in, and then only if the community is not Hudson. What exactly is the Fire Fighters Union trying to do and why? Have we so soon forgotten the lessons of September 11? Do we now tell volunteers they cannot assist us because unions don't want them to? When did becoming a volunteer mean you lost your job or stopped volunteering? When in America did we decide this was the way it would be? September 11 brought thousands of Americans together in a spirit not seen in this country in years. A spirit of volunteerism, proud to be Americans. Some in Hudson seem to prefer that we forget the lessons learned on that day. I can't forget the lessons learned. I can't forget how thousands upon thousands volunteered to do whatever needed to be done, wherever it needed to be done. Just like our call firefighters, willing to work their regular jobs, but when Hudson needs them, they are ready and willing to respond, ready to use the skills they have, not for the money but because they love Hudson and the people who live here. I again ask the question why? Why can't these people give back to their community? I hope all those watching tonight ask the same question of the same people. Why?

Selectman Charbonneau urged Hudson residents to attend Thursday night's budget public hearing. Some things were cut out that she feels shouldn't have been, such as \$50,000 for Benson's. The Budget Committee also did not recommend salary increases for the Fire Fighters, the Supervisors or the Non-Union personnel. She objected to the Budget Committee picking and choosing, as they did recommend the Police Union contract. She was pleased to say that today she was in Durham with President Bush at the University and at his private reception. He is doing a great job and is very concerned about education and what happened on September 11. David Alukonis was there, too.

Selectman Jasper said they have three of the letters from the call fire fighters and asked if they were going to take them up at the next meeting, as they are not on tonight's agenda. He asked if they would be discussed at the next meeting. Chairman Seabury said they would have to, but thinks they have to go through a process. Selectman Jasper said no, the Board has all of the letters. He just wanted to make sure they would be on the agenda and not ignored. He applauded Selectman Stewart for finding the courage to make what must have been very difficult remarks for her to make. But it was important for the community to know, so he applauded her for her thoughts.

- **Chairman Seabury** said they all need to go to the Budget Committee's public hearing on Thursday night to plead their case. The Selectmen are trying to give as much service to the community, as cheaply as possible and the Budget Committee looks at dollars. They did put the excavator back in. They do understand there is a certain mechanism in keeping the government going and there are things needed for it to function properly.

13. **NONPUBLIC SESSION**

Motion by Selectman Jasper, seconded by Selectman Stewart, to enter Nonpublic Session under RSA 91-A:3 II (a) personnel issues and (e) litigation issues carried 5-0 by roll call.

- Nonpublic Session was entered into at 9:05 p.m. and was terminated at 10:01 p.m.

Motion by Selectman Jasper, seconded by Selectman Stewart, to seal the minutes carried unanimously.

Chairman Seabury recognized the Town Administrator, who said in the matter of Greenleaf Estates subdivision, he will be meeting with the Community Development Director and the Road Agent tomorrow and directing, on behalf of the Board of Selectmen, that the Road Agent work with the Town Engineer in looking at the drainage along Greeley Street as it relates to current flooding problems on Greeley Street Extension and to have them make a recommendation to the Board of Selectmen as to what, if anything, should be done within the Town right of way on Greeley Street to mitigate those drainage problems.

14. ADJOURNMENT

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to adjourn at 10:05 p.m. carried unanimously.

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

HUDSON BOARD OF SELECTMEN

Ann Seabury, Chairman

Rhona Charbonneau

Robert E. Clegg, Jr.

Shawn N. Jasper

Terry Stewart