

HUDSON, NH BOARD OF SELECTMEN
Minutes of the October 8, 2001 Meeting

(Attorney-Client Session from 7:00 p.m. – 7:30 p.m.)

1. **CALL TO ORDER** by Chairman Ann Seabury at 7:30 p.m.
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2. **PLEDGE OF ALLEGIANCE**, led by Selectman Rhona Charbonneau
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3. **ROLL CALL**

Selectmen: Ann Seabury, Rhona Charbonneau, Robert E. Clegg (sworn in at 8:00 p.m.), Shawn N. Jasper and Terry Stewart.

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Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Richard Gendron, Chief of Police; Kevin Burns, Road Agent; six applicants for Selectman—Bob Clegg, Lisa Riley, Ed Duschenes, Jim Whitney, Thomas Malley and Ray Rowell; Lenny Smith and Rick Maddox from the Planning Board; Howard Dilworth, Jr. and Terry McLlarky from the Budget Committee; Steve Haight, Edward Herbert Assoc; Doug Robinson; Len, HLN; Sue, SUN & Ann, TEL

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4. **PUBLIC INPUT**

Chairman Seabury asked if anyone wished to speak in Public Input. No one responded.

5. **CORRESPONDENCE**

- A. From: Kevin Burns, Road Agent
Re: Auction Items
Refer to: New Business
- B. From: David Yates, Recreation Director
Re: Receipt of Donations
Refer to: Public Hearing/New Business
- C. From: Richard E. Gendron, Chief of Police
Re: Purchase Request
Refer to: New Business
- D. From: Stephen Haight, Edward N. Herbert Associates
Re: Unicorn Industrial Park
Refer to: New Business
- E. From: Hudson Seniors
Re: Request to erect Sign
Refer to: New Business
- F. From: Tom Sommers, Sewer Utility Consultant
Re: Sewer Allocation Request
Refer to: New Business

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

6. **NOMINATIONS & APPOINTMENTS**
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Chairman Seabury said this appointment to fill the seat vacated by E. Lorraine Madison until the March 2002 election was the biggest item on the agenda. After giving it some thought, she thought they should talk to the candidates so they could explain why they wanted to be appointed.

- A. **Robert E. Clegg, Jr.** – Mr. Clegg said he would not run for re-election in March. He is very familiar with the budget and thought he would be able to assist. He is a former Town Councillor and is a State Representative. He has lived in Hudson since 1979 and understands the politics. In response to Selectman Stewart's questions, he said he has attended all of the last five Town Meetings; he is a registered voter; he does not plan to run for re-election in the Spring if he is appointed tonight; he

volunteers his time to organizations, such as Old Home Days, Hudson Fish and Game, he has coached baseball and he works with the Police Department as a decoy with Officer Sullivan and his K-9, Dino; he did attend the October 2 Benson's public hearing. He is glad the Town is getting the Benson property, but would have liked to see sports fields go in there. He likes the idea of a museum there. Since they are limited in what they can do, he thinks the plan presented is a good start. Selectman Charbonneau asked Mr. Clegg if he also participates in the Santa comes to Town event and if he gives money for fundraising events. Mr. Clegg said yes, he does.

- B. Lisa Riley** – Ms. Riley said she is a Hudson native. Her interest in local government began about 10 years ago when she noticed there were blanks on the ballots. Her first position was on the Ethics Committee, elected as a write-in candidate. Since then, she has developed a passion for local government. It is an area where she can really make a difference in day to day lives. She obtained her Bachelor's Degree in Liberal Arts, with dual concentration in Legal Studies and Political Science. She is currently serving as a Library Trustee and on the Budget Committee. She has experience presenting a departmental budget and with the overall budget process. There are also many significant decisions the Selectmen must make during their regular meetings that impact the Town as well. She is prepared to address those types of issues because of her formal education and practical experience. She believes she is a competent, qualified candidate and would appreciate the opportunity to serve the Town of Hudson in the capacity of Selectman. In response to Selectman Stewart's questions, Ms. Riley said she has attended all of the Town Meetings in the last five years, she was a member of the Historical Society for many years, although she has not been active recently. There are only so many hours in a day and there are only so many things a person can do well. She has three school-age children, so she has to dedicate some of her time to them, too. She knows her limits, so she focuses on those things that she has the time for and the skills to do well. She was not in attendance at the Benson's public hearing, although she was aware of it. Selectman Stewart wondered if it was unfair of Ms. Riley to vacate her seat on the Budget Committee, which she had been elected to, since they were just going into the budget process. Ms. Riley thinks it is more important that the Selectmen have representation for the budget process. A number of candidates would be interested in serving on the Budget Committee and they won't receive the budget books until November 15th, so the formal process hasn't even begun yet. She wouldn't be abandoning the process; she would be contributing in a different way.
- C. Edmund Duchesnes** – Mr. Duchesnes said he has been here for 16 years and wants to help his home town for the next several months. He's not looking beyond March. He can offer the Selectmen a tone of conciliation. He likes to work with and get along with people and to accomplish things for the good of the entire Town. He has not been involved in politics prior to this application. In response to Selectman Stewart's questions, Mr. Duchesnes said he has not attended any Town Meeting in the last five years, but he attended them prior to that. He has not been involved with any local organization, nor did he attend the Benson's public hearing last week.
- D. Jim Whitney** – Mr. Whitney said he is a former member of the Budget Committee and thought that expertise would make him an excellent candidate, since the Town is going into the budget process. Chairman Seabury said he did an excellent job on the Budget Committee, but wondered if his job would inhibit his time now as much as it did then. Mr. Whitney said the reason he didn't reapply for the Budget Committee was he had just started up a new company, which required a lot of time. He is pretty stable right now and thinks he will have available time to put into the position within the next five months. When you take on a responsibility, you should attend the meetings. In response to Selectman Stewart's questions, Mr. Whitney said he has attended all of the Town Meetings in the last five years. He served on the School Facility Committee and last year he was a representative to the Technology Committee. He was unable to attend the Benson's public hearing because he had to leave Town the next morning.
- E. Thomas Malley** – Mr. Malley has been a Hudson resident since 1984. He feels it is imperative that the Selectmen have a full board during the budget season. He served on other boards at the State level, the Town's Building Board of Appeals and works with the Community Development Division in Nashua and feels he can offer a different perspective, as he is a government employee. In response to Selectman Stewart's questions, he has not attended Town Meetings, but does follow it on t.v. He does not volunteer for any local organizations, as he has been busy with teaching. He didn't attend the Benson's public hearing, adding that he didn't know about it. He said the catalyst for bringing him forward was that at a previous meeting, he heard that if the Board did not make a decision tonight, this would go to Superior Court. That is the last thing they need. He commended everyone else who came forward to serve.
- F. Raymond P. Rowell** – Mr. Rowell said he is applying for the seat because he thinks he can bring in a new voice. He can assist as much as he can for the Town, adding that he'd like to say more, but thinks he would put his foot in his mouth. In response to Selectman Stewart's questions, Mr. Rowell said he hasn't attended Town Meetings in the last five years, but he has watched on t.v. There are issues in Town that need to be straightened out. What he has seen on t.v. is a good example of what needs to be done. He served on the 250th Committee, assisted the Historical Society by parking cars at Harvest Fest and Old Home Days, is Vice President of the Neighborhood Watch Program and assists the Police and Fire with traffic. He did not attend the Benson's public hearing. Selectman Charbonneau asked if he was going to run in the Spring. Mr. Rowell said yes. He asked Selectman Jasper to recite the last verse of the Pledge of Allegiance. Selectman Jasper complied. Mr. Rowell said Mr. Jasper told him at

Harvest Fest who he was going to vote for tonight.

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Chairman Seabury said she spoke with the individual Board members how she was going to proceed with this portion of the meeting. She agreed with Mr. Malley that this has got to be a unanimous decision. They've got to come together on one candidate now that the justices have decided they are not going to be operating the court houses for long periods of time--they wouldn't get anyone appointed until March. She then asked for nominations. Selectman Charbonneau thinks they excellent candidates. She has been thinking about this for days and agreed with Mr. Malley that this shouldn't go to Superior Court. The person she is going to nominate is an outstanding citizen whom she admires for what he has done for the Town, for his volunteerism, his attendance at meetings, etc.

Motion by Selectman Charbonneau to nominate Robert Clegg, seconded by Selectman Stewart.

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Selectman Jasper said he would be supporting Mr. Clegg, who is well qualified, but he wanted to address Mr. Rowell's remark. He is a decisive, up-front individual and it's not necessary for him to go through this interview process to make up his mind. He had reviewed the candidates' applications and found them qualified, but overall, it wasn't a difficult decision for him. He worked with Mr. Rowell at Old Home Days and at Harvest Fest and, as a courtesy, he let Mr. Rowell know in person that he wouldn't be supporting him. He also talked with Jim Whitney, whom he has served with on the Budget Committee, to let him know he was going to support Mr. Clegg. It's not realistic to expect that the interview process was going to change anyone's mind. He shouldn't be criticized for knowing who he was going to vote for. He never goes into the voting booth wondering who he is going to vote for. He believes every member of the Board knew who they were going to vote for. It is important to listen to the candidates as there is the possibility that someone will change their mind, as he has on occasion, but he was fairly confident that wouldn't happen tonight. It's unfortunate Mr. Rowell found it necessary to take a shot at him.

Selectman Stewart said she is voting for Mr. Clegg as he is the only candidate who asked for her support and he is the best qualified person to hit the ground running tonight. Some people walked right by her at Harvest Fest.

Vote: Motion carried 4-0.

Chairman Seabury congratulated Mr. Clegg, then administered the Oath of Office to him at 8:00 p.m. He then assumed his seat as a member of the Hudson, New Hampshire Board of Selectmen.

7. NEW BUSINESS

A. Auction Items

Chairman Seabury said the auction will take place on Saturday, October 13 at the former Highway Garage on Melendy Road and she will be the auctioneer. Fire, Police, Highway and Assessing submitted items. Mr. Sharon said the Board needs to vote to allow for the disposal of the public property.

Selectman Charbonneau moved to allow this auction to go on, seconded by Selectman Stewart. Selectman Jasper offered an amendment to approve specifically the items that are on the lists. The maker of the motion and seconder agreed to incorporate that. Motion carried unanimously.

B. Public Hearing/Receipt of Monetary Donations for the Skate Board Park

Chairman Seabury opened the Public Hearing at 8:05 p.m. to accept donations amounting to \$1,157 received from a White Elephant sale for the Recreation Department's future skate board park and asked if anyone wished to speak. There was no response, so she closed the hearing.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to accept the \$1,157 carried unanimously.

C. Police Department Request to purchase an OHRV

Chairman Seabury said the Police Department is receiving a steady increase in OHRV (Off Highway Recreational Vehicles) complaints, but there isn't any way for them to be tracked down. Complaints range from under-age drivers, criminal mischief to private property, disturbing the peace, to alcohol and drug-related violations. A lot of the complaints center around the Benson property. The Chief is asking for the Selectmen's approval to expend approximately \$4,500 from the current budget to purchase an OHRV.

Selectman Charbonneau thought this was a good deal and should be purchased immediately in order to patrol the Benson property. People, including out-of-towners, are destroying buildings with paint balls. Mr. Sharon is trying to get some lighting in

there. Selectman Stewart asked what line it was coming out of and if it included a trailer. Chief Gendron said a trailer would be about \$600 more and he would take the money from 5630-101 Patrol Salaries as they have three vacancies they have been unable to fill. They've been dealing with this problem all summer, with many of the complaints being funneled to them via the Selectmen. There are about 25 miles of trails in Town and not everyone using them are Hudson residents and a lot of them are young teens. Some are illegally driving down the roads to get to the trails instead of using a trailer. Residents are complaining that ATV-ers are riding on their property without permission. There are noise complaints and partying with drugs and alcohol occurring underneath the power lines late at night. The Police Department currently uses the Air National Guard annually to scope out marijuana fields near the power lines. This vehicle would allow the police to keep track of it all year round. It would also be used for rescue operations. Last year, there was an accident underneath the power lines and they had to borrow an ATV to get to the injured parties. They've been working with the NH Fish and Game Department, who has been very generous in working the trails. However, the amount of violations is overwhelming, and they can't keep up with the demand. An OHRV would be the best means to patrol the Benson area. At no cost to the Town, the Fish and Game people will train the four mountain bike officers, under the direction of Sgt. Avery. As of July 1, they have logged in 34 complaints. He's sure there are many more that are not phoned in. Along with authorization to purchase the vehicle, he was asking for Board support of the Police Department's program for zero tolerance with OHRV violations.

Chairman Seabury asked what the penalty was for violations. Chief Gendron said the Police Department will take a tough stance on this. A press release will go out on this so everyone will understand what they will be doing. If they are operating on the trails and have not taken a certified course, or they are not licensed, they will be summoned to court and the OHRV will be towed at the owners expense. If they damage private property, they will be cited and the parents will be held liable for the damages.

(Start Tape 1, Second Side)

Chairman Seabury asked how he planned to man this operation. Chief Gendron said they will use the mountain bike officers on Saturdays and Sundays for now because that's when they get most of the complaints. Some complaints are coming in right after school lets out. Some start as early as 6:00 a.m. and continue until late at night. Chairman Seabury asked if this will apply to snowmobiles, as well. Chief Gendron said it will. The vehicle they are purchasing will be able to be driven on snow trails.

Selectman Charbonneau asked how they would transport the vehicle. Chief Gendron said they considered putting it on a truck with ramps, but Selectman Jasper raised concerns of possible injury to the officers and Rick Wheeler of Hudson Cycle agreed. The best option is to get a trailer which would be used with their Ford Explorer which has a hitch. Selectman Jasper asked if the Chief would be satisfied if the motion was to not exceed \$5,100. Chief Gendron said yes. Selectman Charbonneau thought this was great so they can protect Benson's. Chief Gendron guaranteed that if they could get the vehicle this week, they will be in Benson's this weekend.

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve a not to exceed amount of \$5,100 from Patrol Salaries to purchase an OHRV and trailer for use by the Police Department and that the Board of Selectmen wholeheartedly supports the Police Department's zero tolerance policy for OHRV violations carried unanimously.

D. Unicorn Industrial Park—Planning Board Approval/Stipulations

Steven Haight from Edward Herbert Associates was requesting to work in the Town's right of way in Unicorn Park. (He passed out copies of plans to the Board members.) He said this was an approved industrial park that was taken over by the Town, who then sold the land to his client, who did a set of plans that was approved by the Planning Board, with stipulations, which were to widen out Unicorn Park Drive, Constitution Drive to 36' wide, put a sidewalk in, and put in utilities. He wanted to get the Selectmen's blessing to get into the Town's section. One stipulation was to put in a sidewalk from Clement Road through to the cul-de-sac at the end of Unicorn and put all the utilities underground in the park itself. The section that the Town owns are currently aboveground. The Planning Board also wants a sidewalk in, with a grass strip between the edge of the pavement and the sidewalk. In the park area, that's not a problem, but he's asking about the Town's section. He has been trying to resolve the issue of the utilities with the Planning Board. The utilities were never installed for the industrial park itself and the Police and Highway Departments are serviced by overhead poles. They met with the Road Agent, who submitted his recommendations. PSNH also submitted a letter. To service an industrial park effectively, they recommend the electric service to be aboveground so there isn't any loss of service when someone is brought on line or if there is a problem. He was present tonight to get the Selectmen's permission to get into that section of road owned by the Town so they can fulfil the Planning Board's requirements.

Mr. Sharon said staff's preference is to keep the overhead utilities and the sidewalk adjacent to the curb. Mr. Haight said they would work directly with Mr. Burns with the section in front of the Police Station so they are not interrupting anything as all of their communications are on the overheads right now, with the major stub at the intersection going down to the Highway Department. In terms of widening the road, what he's talking about on the section of Unicorn is the center line of the road, to get the 36' you need to go both sides, which means they will impact a utility pole on one side and the sprinkler system on the other side, with sidewalk. If they offset the center of the road, they would still have the crown and the same 36' of road. They'll put in the sidewalk with granite curbing from Clement all the way down. They will work with staff to make sure they don't impact

anything and then tie it into the rest of the park, being consistent with the cross-section. Both the Road Agent and PSNH recommend overhead utilities in the park itself. Selectman Jasper was concerned with the Planning Board's requirement for underground utilities in an industrial park. In residential areas, it is single phase, but this is three phases underground. The Selectmen haven't found it necessary to put the utilities underground. This is a tax base that is exactly what the Town is looking for, and the Planning Board is trying to impose additional costs. He has a real problem with that stip. He also does not see tearing up the road to put in sidewalks in an industrial park.

Chairman Seabury said when the woman from PSNH came to speak to the Planning Board, they finally understood that it would be silly to put in underground utilities. Mr. Haight said the Planning Board asked them to come back with an application to discuss it again. They had asked for a waiver to go aboveground with the existing poles and they had not granted it when they granted the subdivision. PSNH put a letter together and came down to talk to the Planning Board, but there was no specific direction at that time. They have made an application to the Planning Board to go back and talk about it. PSNH had done some research, as the Planning Board had asked for, and that is the document he distributed to the Selectmen. Chairman Seabury did think the Planning Board would waive that requirement after listening to the PSNH representative. They felt the task would be monumental, not to mention the ground out there is almost all ledge. They would have to change the capacity as each lot came in, which would mean shutting down the entire park, a major undertaking. Mr. Haight said each lot would be serviced underground from the utility. What they are talking about is the backbone utility that comes down the existing poles that would carry the main service and as each unit came on line, if they needed to upgrade that, they could do that on the main back bone and not shut down everyone. The Town's utilities are aboveground and they can just tap into that and continue on. They've put in all their stubs. They need to get the cross section done to get everyone on the same page and get the Board's permission to get into Unicorn. They can put in the sidewalks if the Town wants them. Chairman Seabury said they should leave the utilities as is, but she likes the idea of sidewalks. A lot of people in the old Clement Park do a lot of walking on their lunch hours, and Clement Road is tiny. If they had sidewalks, they could make the loop to the other industrial park.

Selectman Jasper said the road with existing granite that is fairly new. The traffic on Constitution is never going to be great, but you've got Clement Road where there is \$75,000 here that is slated to upgrade that section of the road and what appears to be a very substantial amount of money to put sidewalks in that aren't really going to serve any great purpose. He doesn't think the developer cares where the sidewalks go. They'd be better off to take the money that was going to be spent to put sidewalks on Constitution Drive and put them on Clement Road, or somewhere else where they would get more use.

Selectman Charbonneau said many people will be employed in those 12 industrial buildings, hopefully, and everyone walks today. She just went back on the Planning Board and wanted to see just exactly what that would entail before she can even vote on this. Mr. Haight said the sidewalk is shown on the last page of the plan.

Chairman Seabury said they don't have to use the \$75,000 for sidewalks. They could use that for any road upgrade. (Talking over each other.) Mr. Haight said the only stipulation the Planning Board made specifically was that the off-site contribution be used for access improvements to Constitution Drive from Route 111. The developer has already agreed to upgrade the road. He was looking for clear direction regarding the sidewalks. He didn't want any ambiguity when he goes back to the Planning Board. He needs to know which way they are to go so they can get into construction and try to get it done this year.

Selectman Stewart said instead of sidewalks, what about a wide area on the side of the road that indicates it is a bicycle/pedestrian lane. Mr. Burns said there is closed drainage up there, so they've got to have granite curbing. Chairman Seabury was concerned about the tractor-trailers moving around curbs. Mr. Haight said there was quite a bit of discussion regarding that. The standard today is 36' for an industrial park in Hudson. Water and sewer are already in the park. The road itself is currently 30' or 32' wide. They originally asked for a waiver to clean it up and pave it so they can use it as is, but the Planning Board wasn't willing to do that. The sidewalk issue came up so people would have an opportunity to walk in the industrial park. At that time, a comment was made that the Selectmen don't maintain sidewalks and if they put in a grass strip the question was asked who was going to maintain that. Mr. Burns had indicated that if there was going to be a sidewalk, it should be put up against the road. Chairman Seabury said since Kevin was going to be the prime caretaker of this section, she'd like to hear from him. Mr. Burns said his recommendations are in his memo and he's made his feelings known before about grass strips between the sidewalk and the street. He can live with it in residential neighborhoods because most of them maintained by the residents, but in industrial parks, they are neglected and look terrible. If his men start to mow them, then it will be expected of them. Selectman Jasper asked if the Planning Board gave a waiver to allow them to put sidewalks against the granite curbing. Mr. Haight said they didn't ask for that, so he wasn't able to give a clear answer.

Selectman Jasper said the Selectmen's role tonight is on the section of Constitution Drive that they already accepted. They don't control the utilities, even though they may have strong feelings. The Planning Board will do what they want to do. Mr. Sharon referred to stip J that talks in terms of every attempt being made to have underground utilities. If the Board of Selectmen tells the developer that the utilities are going to remain overhead, "he's made an attempt." There are all kinds of good reasons for keeping them overhead.

Selectman Jasper said they are talking about widening that relatively straight section of road four feet, tearing up a lot of grass and the irrigation system to put in a sidewalk and he didn't see the benefit to the Town. He's in favor of overhead utilities and having whatever sidewalks put in up against the curb, but he didn't see any reason to rework that section of road. Chairman Seabury asked if he was saying he was ok with sidewalks in the industrial park, but not in the Town's section. Selectman Jasper said even in the Town's section, it would be a matter of just putting in a pavement strip instead of tearing up the whole road and doing everything over again. They could leave the road 4' narrower at that point and transition into 36, if that's what the Planning Board wants and then just dig up 4' of grass and put in an asphalt sidewalk. It's a lot less expensive and then there would be an opportunity to get sidewalks where they are needed. The Police Department did a traffic count on 24' wide Old Derry Road and found it has 14,000 trips a week, and there is a lot of walkers on it. Constitution Drive isn't going to have 14,000 trips a week on it. They ought to think about allocating their resources.

Chairman Seabury said if that park is going to expand, it will have a lot of people coming in and out. Selectman Jasper said it can't expand beyond the approved size. Mr. Haight said the 10 or 12 lots are it. Mr. Burns said it doesn't make any sense to have a 36' road at the end and 30' at the beginning. They would have a bottleneck where the majority of the traffic is. He'd rather see it consistent. Right now, there is curbing only on one side of the street. The developer is willing to put in granite curbing on both sides, improve the drainage, move the irrigation system, install the sidewalk and it's not costing the Town a cent. He strongly agrees that the utilities should stay overhead, even if it's only on the Town's portion because the Highway Department has stuff on the utility pole. If they go underground, the Highway Department's stuff will have to go underground, too. They are serviced overhead from Constitution Drive, so that pole will have to stay there; the Kirby Building is overhead, so that pole will stay there. They're causing the developer to have a major expense by relocating the utility, and they're not gaining anything. Additionally, there will be major communications interruptions for both Highway and Police, and it's not necessary.

Chairman Seabury asked if everyone was in agreement to allow Unicorn Industrial Park to go forward with the stipulation that the width of the road remains 36' with a four foot sidewalk, with granite curbing. Mr. Burns suggested using the recommendations outlined in his memo. Chairman Seabury said right. Selectman Clegg thinks a sidewalk would be better suited someplace else, especially if they are going to have a 36' wide road. There is plenty of room for walkers and they won't have constant traffic coming both ways.

Mr. Sharon said the developer is going to end up being caught in the middle of the Board of Selectmen and the Planning Board. Selectman Jasper said he needs to go back to the Planning Board anyhow; they don't have a waiver to eliminate the grass strip. He agreed with the Road Agent that if the road has to be 36', it should be 36' all the way, but it's a waste of money to put in sidewalks in the industrial park. It would be better served going toward widening and putting in sidewalks on Clement Road. Mr. Haight said the utility issue is PSNH driven, and they made the recommendation to go overhead all the way. They will widen the road, if the Selectmen is amenable to that, and they will work with Mr. Burns. If the Selectmen can make a clear recommendation to the Planning Board to support PSNH because they are the ones who have to maintain that utility later. They can use the utility poles, they can widen the road, they can get in and out of there this year. In terms of the sidewalk itself, it's up against the back of the right away or against the side of the road. The grass strip wasn't that big an issue. There are several Planning Board members present, if the Board wants their input. If they want a 28' or a 36' road, tell him and he will work with the staff to get it done right. He hoped the Planning Board would go in the same direction so it's consistent.

(Start Tape 2, Side A)

Chairman Seabury said the \$75,000 was for general offsite improvements and she didn't want it earmarked for Clement Road. Selectman Jasper said it was, per their negotiations. Mr. Haight agreed. Chairman Seabury said it wasn't supposed to be. Mr. Sharon said it was at the direction of the Board. Mr. Haight said it's "H," which says that offsite contribution to be used for access improvements to Constitution Drive from Route 111. Chairman Seabury said she likes the way that reads because from Route 111, it's a dead end with rocks blocking the park on Wall Street. There's no way of getting through. She spoke with the engineer of that project and asked him if there could be some negotiation to get a right of way through to Hudson Park Drive so they could get a traffic light in and get traffic out of that industrial park. He thought he could work with the owner of that park. Selectman Jasper said that was a wonderful idea, but he wasn't talking about the \$75,000. He was talking about additional money for the cost of sidewalks consistent with their policy to put in sidewalks that are going someplace by asking the Planning Board to consider the building of sidewalks someplace else—Clement Road, 111, 102, etc. Chairman Seabury asked for a motion, as they've beaten this to death.

Motion by Selectman Jasper, seconded by Selectman Clegg, that the Board of Selectmen recommend to the Planning Board that the utilities be aboveground in all of Unicorn Industrial Park and that they approve the widening of the accepted section of Constitution Drive, but no sidewalks be approved for that section and that an equivalent dollar amount for the construction of that section of sidewalks be set aside for construction of sidewalks elsewhere in Town and that there be no sidewalks within Unicorn Park and an equivalent dollar value also be set aside for construction of sidewalks elsewhere in Town.

Chairman Seabury opposed the motion because if they put money into a sidewalk fund, sidewalks won't be built anywhere. For example, the developer out on Bush Hill Road waited just long enough to get his money back and three or four years later, the

sidewalk didn't get built and the sidewalk money was returned back to him. The money should be put aside in an offsite improvement to get the traffic out of that development. They should work with the adjacent industrial owner, Mr. Wallen, to get an easement through his property. That would be much better than putting the money into a sidewalk fund. Selectman Stewart believed the Planning Board hadn't returned that sidewalk money. Mr. Maddox, Vice Chair of the Planning Board, confirmed that the Planning Board still has it. Selectman Charbonneau didn't think they had enough information on this and wanted to look into it further.

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

Mr. Haight asked if that meant he could work in the Town's road. Selectman Jasper said yes. Chairman Seabury said it was everything in Kevin's memo adding that he (Mr. Haight) got a position motion from the Selectmen. Selectman Jasper clarified that Mr. Haight can work in the Town's section of the road and didn't have to put in any sidewalk in that section. The utilities, however, were a stipulation of the Planning Board, and he still has to go back to them. Mr. Haight's understanding was the Selectmen's above ground utilities would stay and they didn't want any sidewalk in the Town's section of the road. Selectman Stewart said that was right.

Motion by Selectman Jasper, seconded by Selectman Clegg, that the existing utilities on the accepted section of Constitution Drive remain above ground carried unanimously.

Mr. Burns asked if sidewalks were going to be built in the industrial park portion. Mr. Haight said he will indicate to the Planning Board that the Selectmen don't want sidewalks on what they own, but he could not say whether or not the Planning Board would still want them in the new section. If the Planning Board isn't willing to waive that, sidewalks will be put in, as with the utilities. Perhaps the recommendations of the Selectmen will sway the Planning Board so they can get started. He thanked everyone for their time.

E. Request by Hudson Seniors to erect a Sign on Town Property to advertise Annual Fall Craft Fair

Motion by Selectman Stewart, seconded by Selectman Clegg, to approve the request carried unanimously.

F. Sewer Allocation Request (199 Webster Street, Map 23, Lot 17-3)

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

8. OTHER BUSINESS (There wasn't any.)

9. LICENSES AND PERMITS (There weren't any.)

10. ACCEPTANCE OF MINUTES

- A. **Minutes of the BOS Meeting of September 18, 2001**
- B. **Minutes of the BOS Meeting of September 25, 2001**

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

11. COMMITTEE ANNOUNCEMENTS

- 10/10 7:00 Planning Board in CD Meeting Room
- 10/11 6:30 Recreation Committee at Rec Center
- 10/11 7:00 Sewer Utility in BOS Meeting Room
- 10/11 7:30 ZBA in CD Meeting Room
- 10/13 Town Auction
- 10/15 7:30 Conservation Commission in CD Meeting Room
- 10/16 7:00 NRPC Public Hearing on the 10-Year Plan in CD Meeting Room
- ~~10/16 7:30 Labor Relations Session with BOS in BOS Meeting Room~~ (changed to 10/19)
- 10/17 7:00 Planning Board in CD Meeting Room
- 10/18 7:30 Budget Committee in CD Meeting Room
- 10/22 6:30 School Board in BOS Meeting Room
- 10/23 7:00 Trustees of the Trust Funds in ToTF Room
- 10/23 7:30 BOS in BOS Meeting Room
- 10/25 7:30 ZBA in CD Meeting Room

10/30 7:30 Public Hearing on Communications Towers at Lions Hall
10/31 6:00 – 8:00 Trick or Treat
11/2-3 Department Heads' Budget Presentations

12. **REMARKS BY THE SELECTMEN**

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Selectman Terry Stewart said the Historical Society's 4th Annual Harvest Fest had a great turnout, in spite of the strong winds. Steve Gannon was named Fire Fighter of the Year by the Lions Club. Saturday night was the Fire Department's annual dinner. The fire fighters and policemen are all heroes. She responded to a letter in the HLN, which was written by Doug Robinson in response to her comment on 9/25 on her attendance at Planning Board meetings. This year, she was appointed as liaison to Budget, Sewer and CIP, which all met on Thursday nights. When she pointed that fact out, the Chairman stated that Budget and Sewer were more important. Selectman Stewart then informed the CIP Chairman of the conflict, and he was to advise the committee members why she could not attend. Mr. Robinson had commented that she rudely walked into a meeting and rudely walked out. She had dropped off her paperwork for the CIP, on her way to a Budget meeting. She could not be in two places at the same time.

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Selectman Rhona Charbonneau said they've received the Benson's Memorandum of Agreement from DOT so they can put up No Trespassing signs and try to preserve the buildings. She attended the Mayor's Round Table, the Planning Board workshop, the dedication of Hills Garrison Elementary School and the Fire Fighters Award banquet.

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Selectman Shawn N. Jasper thanked the residents who applied for the Selectman's seat, saying it was commendable of all of them. He encouraged them to run for office in March--those who have not had Budget Committee experience to sign up for the Budget Committee and those who do, for Selectman. He spent four years on the Budget Committee before becoming a Selectman and what he learned was invaluable. The Budget Committee deals with the department heads, the budgets and they get to know the policies and issues within the Town. It's a great place to start out. He agrees with John Bednar that no one should run unopposed. He'd like to see several people running for the seat. All too often, no one is challenging someone. He hoped they won't see that next year.

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Selectman Robert E. Clegg, Jr. thanked everyone for their vote and hopes he won't let anyone down.

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Chairman Ann Seabury thanked everyone who applied to serve on the Board of Selectmen to help in their time of need. It's always difficult to put someone in for a brief period of time, for them to pick up the ball and continue. It is an especially difficult time right now, going into the budget season. She echoed Selectman Charbonneau's, saying they've been out most nights and some Saturdays, but it's worth it. She enjoys working for the community and guesses why she does the job. She welcomed Selectman Clegg aboard, saying she didn't know him that well, but she's sure it will be interesting. She appreciates those in the audience who came forward. She said the Finance Director issued a memo in response to a letter from John Bednar regarding the Glen Drive dry sewer line. The Finance Director didn't think there was a problem with what the Town has been doing, but the auditors would be going over that and will advise the Town if there are any irregularities.

13. **NONPUBLIC SESSION**

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to enter Nonpublic Session under RSA 91-A:3 II (a) personnel issues; (b) hiring of a public employee carried 5-0 by roll call vote. Nonpublic Session was entered into at 9:10 p.m. and was terminated at 9:30 p.m.

A. *Motion by Selectman Stewart, seconded by Selectman Charbonneau, to hire Ed Peterson as the 2001/2002 Instructional Program Basketball Director for the fee of \$900 carried unanimously.*

B. *Motion by Selectman Charbonneau, seconded by Selectman Stewart, to hire Dave Yates as 2001/2002 Basketball Director for the fee of \$3,000 carried unanimously.*

C. *Motion by Selectman Charbonneau, seconded by Selectman Stewart, to hire Ben Poirier as a temporary full time custodian, pay Grade X, Step 1 @ \$13.33 per hour, per Admin & Support union contract, effective 10/14/01, carried unanimously.*

14. **ADJOURNMENT**

Motion to adjourn at 9:45 p.m. by Selectman Jasper, seconded by Selectman Stewart, 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