

HUDSON, NH BOARD OF SELECTMEN
Minutes of the July 24, 2001 Meeting

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

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2. **PLEDGE OF ALLEGIANCE** was led by Selectman Terry Stewart

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3. **ATTENDANCE**

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

Staff/Others: Priscilla Boisvert, Executive Assistant; David Yates, Recreation Director, Kevin Burns, Road Agent; Richard Gendron, Chief of Police; Fire Lt. Dave Morin; Howard Dilworth, Jr; Terry McLlarky; Fred Deppe; Mike Juliano; about 45 residents; Sue, SUN; Ann, TEL; Len and Robin, HLN

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4. **PUBLIC INPUT**

Chairman Madison welcomed everyone, noting the full house. She had a message for the Board before they start Public Input. She received a complaint that when someone is addressing the Board, the Selectmen are not always paying attention, but are leaning over and conversing with the person next to them. They have all been guilty of doing that, but it must stop. If someone has a question or comment that needs to be acknowledged, it should be written down and taken up at the appropriate time.

Additionally, she reminded everyone that when someone addresses the Board during Public Input, that is merely a venue in which to bring a situation or issue to the Board's attention. The Board can then take it up under Other Business that evening, or they can take the matter under advisement for possible action at a future meeting, if appropriate. The Board will work with the residents as best they can. If someone wants something put on an agenda as an item for action, they must go thorough the Selectmen's Office.

Jim Guill, 42 Bush Hill Road, said he has concerns for himself and his Mom, who lives at 40 Bush Hill, about the blasting that is scheduled to start on the 30th at Thurston's because they haven't taken care of past damage. They are going to set up a seismograph on the lawn at 40 Bush Hill, but even the Fire Chief said he can't even read the results. It isn't right for Maine Blasting and Drilling to interpret it, because they can say whatever, and no one would know any different. They have put in claims for the damage that was done in the past, which has run into the thousands. It's very expensive and, before they start again, he wants them to take care of their past business. That area looks like a war zone because they just keep blasting. The insurance claims adjustor who came to his house told his wife, "You're not big enough to fight us in court; you don't have enough money." Mr. Guill didn't think that was very professional. He runs his own business and if he doesn't back up his work, he has to deal with the State. He asked who the blasters have to deal with and who the residents can go to to seek relief. There is a lot of damage that wasn't taken care of, that is just brushed under the table and nothing is said about it. He has a well that he hasn't been able to drink out of for over a year. Each time he has a water test done, it costs him \$200. Once the blasting subsided, he thought the water would be ok, but the well is still contaminated. He has to buy his drinking water from SAM's. He paid a lot of money for his well, which is contaminated with blasting material, paint, gasoline, etc., and he doesn't know where it is coming from. His neighbors have tested, and they are fine. When he moved into the house, the water was tested and again five years after that. It was tested again when it was hydrofraced. After the blasting, he can't drink out of his artesian well, which is 660' deep. Chairman Madison said Town staff would contact him about this because they are trying to keep a close watch on the blasting. Selectman Seabury said she was going to make a motion under other business.

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Michael Keenan, 10 Chestnut Street, said within the past 10 days, he was verbally advised by Fred Deppe of the Town's intent to use a parcel of Town-owned property on Chestnut Street as soccer field for a league that has come in to look for some support. He recalls that Mr. Deppe has served the Town honorably, diligently and with the best interests of the Town at heart. He isn't objecting to Mr. Deppe or to the league, but he objects strenuously to the process that was used. He believes Mr. Deppe was very poorly directed in pursuing this. In 1987, while a member of the Town Council, he (Mr. Keenan) became concerned about reports of children blocking various supermarkets using skateboards and things like that. As a parent, and as a member of the Town Council, he felt that it was beholden upon them to try to give those children options. As such, he went to then-Administrator Dave Crumpton and asked if a feasibility study could be done to see if that particular piece of property would be worthwhile to use as some type of recreational park. A hearing was held, after which there was no doubt in anyone's mind that the people had no desire to use that piece of property for recreational purposes. There were concerns about the Hudson Fish and Game firing range, which is directly across from this property. While the odds of a stray bullet coming over are considered to be miniscule, the notion was raised as to whose child was going to be the one millionth and one. His residence is in close proximity to the firing range, as well, and if he thought there was any danger to him or his family, he wouldn't be living there. However, it isn't his place to impose his standards of safety on someone else. As a result of the hearing, it became obvious that the folks didn't want it. There are other safety issues. During a fire at his residence in December, the fire engines had to stop, back up and make two or three turns to get onto that street. Chestnut Street, a one-way street, is in poor shape. Two vehicles going in opposite directions cannot pass each other. Someone has to pull over. It is a one-way street and not a thru street. It ends at his and his neighbor's driveways. He and his neighbor have asked repeatedly for a turn-around so folks don't use their driveways, over two years ago, they were told the Town was going to take care of it. The Town hasn't. Plow and trash trucks drive straight in and then back out, as the fire truck did. Several times, the waste removal truck has backed into the phone pole, knocking out electricity.

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Continuing, Mr. Keenan complained that there was no public notice, or any type of information made available to anyone, other than verbally by Mr. Deppe to his wife, or other representatives of the Recreation Department to friends who live in the neighborhood. If this Board is genuinely trying to help, it would be coming forward with ideas of what they think might work, not keeping it a secret. He didn't see anything in the HLN about the process. He was concerned about a remark made by Mr. Deppe to his wife, inferring that maybe they could have the hardwood that is

cut down, or maybe they could have the concessions, once the field is open. Another remark was that the soccer field was needed because other soccer fields have turned into dust bowls. If the soccer fields are turning into dust bowls, why give them more property, next to a wetland with natural habitat, and turn it into another one? If he were still an elected official—or maybe a call firefighter—his instincts tell him maybe he is being set up. He resents it when someone makes offers to see if he can be bought out. The Keenan family will not accept any offers for wood for rights to concessions as a means of gaining their support for this field. The idea of a field is laudable, but not there.

Going on, he mentioned the Benson's alternative. The folks who want Benson's spoke of the wonderful uses the Town would get by picking up the property; it would answer all of the property needs for years to come. However, now they are hearing rumors of State restrictions. If there were restrictions on that sale, and the people were not told about them, they have a very serious problem. He asked the Board to do the right thing, adding that Mr. Jasper was at the hearing in 1987 and there was no doubt in anyone's mind that that field did not belong there. Given the attendance tonight, he suspects that the same feelings still exist.

Chairman Madison said the soccer club came to the Board's attention only recently. This is a piece of Town-owned property that is being considered. No one was notified because the Board hasn't voted to do anything with it. If they do, it will go before the Planning Board, and the abutters will be notified. The Board hasn't made any decisions yet and anything anyone has heard at this point is strictly rumor. Mr. Keenan said he has heard that people involved in this endeavor were directed to this piece of property by the Selectmen. Given that direction, a reasonable person could infer that maybe the Selectmen are leaning in that direction.

Chairman Madison reminded the people who had registered to speak that remarks are limited to five minutes. They would all be recognized, but she hoped that they would speak only if it was to add something new. Selectman Jasper said when the soccer came before the Board on June 26, the Board did not discuss that particular piece. It was Selectman Seabury who suggested Eayrs Pond may be good as a practice field, that there would be adequate parking and Mr. Deppe had said he had a copy of the Master Park Plan and that is piece they looked at. The presentation wasn't specific to any particular piece at that time.

Paul Jarry, 42 Eayrs Pond Road, opposed the soccer field because it would be on a dead end street, with only one way in, so it could not handle the traffic. More people would be coming in than live there. The field doesn't belong there. It wouldn't be good for the neighborhood or the people that live there. He owns land between the pond and the field. On Saturdays, they hear the firing range, which isn't too bad and they get the shade from the trees. If a soccer field goes in, they will get the noise from the games all weekend, plus the firing range. It would no longer a quiet neighborhood. It's a good neighborhood, and most of the people who live there are quiet. Neighborhood kids use that land now and there are a lot of bike and walking trails there. The neighborhood would not benefit from the field; only the out-of-towners would. The whole neighborhood would be affected by the traffic and the noise. At the end of Eayrs Pond Road, there is a sharp turn. The people that live on that turn will be impacted by all of the traffic. There's only two ways into that neighborhood: Blueberry and Eayrs Pond Road. He lives at the end of Eayrs Pond Road and has an easement of 454' which will be taken up with cars if the parking lot gets filled up. There will be no guarantee he will be able to get to his house. If anything goes into that area, it should be a playground for the kids in the neighborhood. If they are going to be affected by noise, it should be by their own kids.

Mae Morrill, 26 Eayrs Pond Road, said a similar proposal was brought before the Town in 1987 and, back then, it was determined that the site was inappropriate. Nothing in the area has changed since that time, except more houses have been built and it's now a residential neighborhood. She has concerns of safety. The Fish and Game Club firing range is directly across from the proposed field. They increased the height of the protective wall, but an overshot can still occur. A 22 caliber bullet can travel 1½ miles and the club's sportsmen use a larger caliber than that. The Town would not welcome a lawsuit for a child being killed or injured, should something like that occur. Another concern is the increased traffic, and there is only one way in and out. Eayrs Pond Road already has five roads emptying onto this residential neighborhood. There are several other fields in Town that are under-utilized and are closer to the highways for easier access. It would cost less to renovate one of them than to create a new one. An example of existing space is the Abbey-George Memorial Park off of Route 111. She questioned what the maintenance cost would be to the taxpayer and if there would be adequate facilities, such as toilets, running water, etc.

Tammy Robinson, 36 Eayrs Pond Road, said she lives directly across from the proposed soccer field and has the same complaints as the others about the firing range. If the trees are taken down, the noise would be a lot louder. Her son and other children already play on that land. She is opposed to this plan.

Doug Duchesne, 38 Eayrs Pond Road, said he lives directly across the street from the property and he opposes it for the same reasons as the others have already stated. He works Monday – Friday and works on his yard Saturday and Sunday. They put up with the noise from the gun range, but if they take out all of the trees, which acts as a buffer, it would be very loud. They will also have to listen to referees' whistles all weekend long. His children use that lot to play on and they ride their bikes in the street. They'd no longer be able to do that.

Sean Riley, 27 Eayrs Pond Road, opposed this plan, mainly for safety reasons--cars coming through the neighborhood via one entrance, noise from the firing range, especially if the trees are cut down. If sports fields are needed in Town, a major complex should be built. They should keep up the fields they have. This condensed neighborhood isn't a good spot for a soccer field. He hoped this wouldn't go through.

Allen McKenney, 2 Walnut Street, said he is on the corner of Chestnut Street and an abutter. He's lived there for 20 years and it has been a real quiet neighborhood. He can't picture any more traffic on that road, which is one way, dead end. It's congested and the houses are tight. He can't picture bringing in a bus load of kids and 40 cars into that small area. He opposed the plan.

Motion by Selectman Jasper, seconded by Selectman Stewart, to extend Public Input carried unanimously.

Jim Robitaille, 24 Eayrs Pond Road, had the same concerns as everyone else. His house is about 150' away from the field and he believes the cars will be backed all the way up to his property and will fill up both sides of the road. Emergency vehicles will not be able to get through. The

residents will be calling the Police to come and move the cars that are blocking their driveways. The neighborhood can't handle the traffic.

- **Dave Wilder, 40 Eayrs Pond Road**, said they have two children, one of whom is on the soccer team, but he is opposed to this proposal because of the reasons already mentioned—traffic and noise. If they take down all the trees, there will be a dust problem. There is wildlife in the pond, at least two or three beaver dams that are right against the property. The beavers come up into the woods and the yards, and they will be affected. If anyone looks at the property, they will see that it won't work.

- **Paul Martineau, 9 Chestnut Street**, has lived at the end of the street for about 20 years and there is a constant flow of traffic turning around in their driveways. He complained two years ago for something to be done. He has a letter indicating that a turn-around was being looking into by the Highway Department, but nothing has been done. When trash trucks, gas trucks and fire trucks go down his street, they have to back out to Eayrs Pond Road. He'd consider putting in a toll booth at the end of his driveway. There is no reason to develop the land. It should be for the children of the neighborhood. If the children are satisfied with the way it is, they should leave it as is. They have no fear riding their bikes on those streets. Everything about it is wrong, including safety issues and the location.

- **Jeannette Senko, 11 Eayrs Pond Road**, said her house is at the bend in the road and she has the same concerns everyone else has. The infrastructure is inadequate and the road is narrow. They already have problems with people driving around the corner too fast. She didn't want people driving into her fence or onto her property, or parking in her driveway. The main entrance and exit to and from Eayrs Pond Road is tricky. If someone were to turn left out of Eayrs Pond Road onto 3A south, and if someone else from 3A south cuts the corner coming into Eayrs Pond Road, a serious accident could result. Eayrs Pond Road is too far from the center of Town; they are almost in Tyngsboro. Town Hall is four or five miles away. The field is close to open water and an unattended small child could easily drown. Everyone has heard of West Nile Virus and Eastern Equine Encephalitis. There aren't as many bugs in a section of Town that doesn't have a mucky pond.

- **Keith Jylkka, 9 Walnut Street**, said many of the people have lived in that neighborhood for over 20 years. They chose to live there because of the quality of life. They are not just neighbors, they are friends. They don't have to worry if their door is locked if they step away from their house for a little while, or if you don't see them right away because they are down with the neighbors. Their children ride their bikes on the street and they are allowed to go around the corner to Eayrs Pond Road. They are comfortable with the safety of the neighborhood. If the soccer field goes in, their quality of life and feelings of safety will be compromised. He'd hate to see that happen.

- **Darlene Merchant, 28 Eayrs Pond Road**, lives at the intersection of Walnut Street, which is not a 4-way stop. They have serious problems at that intersection. Increased traffic will make it worse. The kids who live out there will have to be very careful. She is also concerned about the park when it is not in use, such as teenagers out there drinking and roughhousing. She also fears their homes and cars will be vandalized. It will change the symmetrics of the neighborhood. The neighbors trust each other and look out for each other. That will all disappear if strangers come in, including unattended strangers when the field is not open.

- **Dave Iby, 15 Walnut Street**, said the Selectmen could see the concern they all have, and more people could have come, but they wouldn't have fit in the room. His son plays soccer and the guys do a great job, but collectively, they can find a more suitable place for the field than an area only a stone's throw from Tyngsboro.

5. **CORRESPONDENCE**

- A. From: Jim Michaud, Assessor
Re: Current Use Penalty Partial Lien Release, Map 21, Lot 4, Thurston's Landing South
Refer to: Old Business
- B. From: Fred Deppe, Hudson United Soccer Club
Re: Soccer Field
Refer to: Old Business
- C. From: Dave Morin, President, Lions Club
Re: Construction of Soccer Field and Softball Field
Refer to: New Business
- D. From: David Yates, Recreation Director
Re: Acceptance of a Donation
Refer to: New Business
- E. From: Tom Sommers, Sewer Consultant
Re: Request for Capacity Allocation
Refer to: New Business
- F. From: Sewer Utility Committee
Re: jSewer Rates
jEngineering Contract
jAbatement Request
jSewer Acceptance
Refer to: New Business
- G. From: Assessing

Re: Various
Refer to: New Business

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

(Start of Tape 1, Second Side)

6. OLD BUSINESS

A. Current Use Penalty Partial Lien Release, Map 21, Lot 4, Thurston's Landing South

At the last meeting, Selectman Jasper had questions about this item. He said, as a result of his discussions with the Assessor, the current use penalty is slightly higher.

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

B. Proposed Soccer Field at Eayrs Pond Road (Hudson United Soccer Club)

Fred Deppe and Mike Juliano, representing Hudson United Soccer Club, were recognized. David Yates, the Recreation Director, was also present. Mr. Deppe said he wanted to address some of the remarks. In addition, he verbally recognized Dave Gaudette, Jim Fellows and Al Simms from the Soccer Club, who were present. Mr. Simms is also an alternate on the Recreation Committee. He wanted to diffuse the feeling that this was trying to be slid quietly in the back door so that no one would know about it. As it was mentioned earlier by Selectman Jasper, at a previous meeting, when the proposal for finding a field was discussed, Selectman Seabury did throw out the name of Eayrs Pond as a possibility. He, at the time, mentioned that he already knew of that through the Master Park Plan. They looked at that as the most viable possibility in Town. As far as letting the people know what was going on, the Chairman already correctly informed them that the proper protocol was to bring this forward to the Selectmen first. If they decide to give it their blessing to go forward, they would go through submitting a site plan. At that point, all of the abutters would receive certified letters and everyone within 200' would receive a letter, prior to the Planning Board's public hearing and they would have all the time they want to voice their concerns. He had an opportunity to speak with a couple of the neighbors, as he was viewing the property. He did seek out Mr. and Mrs. Keenan, having known them from before, and Mr. Jarry, who he has known for a long time. He wasn't home, so he didn't speak with him directly, but he discussed the various ideas. That's how they were noticed ahead of anyone else. He apologized to Mr. Keenan if there was any misconception as he was speaking with Mrs. Keenan, but he was not offering the Keenans a concession stand. They discussed various things about the field, including the number of trees coming down. In a conversation, he remarked that if there was any hardwood in the mostly pine setting, why wouldn't they give it to the neighbors? They also discussed that Mike likes to barbecue and he jokingly said he can barbecue every weekend at a concession there. It was in levity and they are not, in any way, trying to buy out any of the neighbors by offering them anything. A lot of the concerns brought up by the people tonight are very valid and, as they go through the process, they intend to address all of them. Tonight, they are just looking for the Selectmen's approval to proceed with the property and look at using it. As they move forward in the process, they fully intend to work out all of the concerns. Input from the neighbors will be important, such as concerns with the streets and traffic; there are different possibilities to look at, such as widening Chestnut Street, fencing in the entire property, making sure there is a proper wooded buffer, etc. There are a lot of different ways to address all of the concerns that were brought forward as they go along. People will be involved. Regarding issues of safety with the firing range, mosquitoes and people in the area, those are going to be concerns that need to be addressed whether or not there is a soccer field there. If they build a neighborhood park, as suggested by some of the residents, or left as is because some of the kids already use it, there is still a safety concern, which will be there whether kids are using that field officially or unofficially. That is something that may need to be addressed in itself. There was some concern that it would be turned into a dust bowl, which is exactly the opposite of what is being proposed. What has happened in Town is that a lot of times the Town or the School has to take the cheap route and fields have not been properly maintained. The design for this field is to maintain it for a long time to come so children can use it for years to come. It will be fully irrigated and maintained. Someone asked what has changed since 1987, when it was turned down. A lot has changed. His two young children are now teenagers. Since they first developed the Master Park Plan to the tune of \$40,000 many more people have moved into Town with many more children with many more needs. That's the point they are at now. They are desperate for places for children to play soccer and other activities. They have the same situation with indoor basketball courts and other ball fields. Right now, they are focusing on a soccer field. They want to work together with the Recreation Department, with the Town and with the Schools to do what has to be done to provide space for the children to play.

Mike Juliano said he lives at 12 Sandlewood Road and is President of the Hudson United Soccer Club. The first meeting with the Selectman on June 26 was to introduce their club and to let them know there are over 700 kids playing soccer in Hudson and there is a need for fields. The intent was to discuss the options so the kids can play soccer in Hudson. Now, they have to travel to Merrimack to play their home games because they don't have a field, and that is not a nice feeling. They end up losing kids from the program due to that fact. As a result of the meeting with the Selectmen, a proposal for Eayrs Pond was formulated. The spot was chosen because in 1986 there was a plan to use that area for a soccer field. It was done properly and in accordance with the rules of the Town. It is a public document, so if people want to look at it to see what is proposed before statements are made, they may find it will benefit the neighborhood. A lot of time was spent on the proposal to alleviate some of the concerns. Obviously, there are more than he was aware of. He doesn't live in that neighborhood, but he respects the concerns that he heard tonight. The intent is to find fields for the kids to

play soccer in Hudson, not to annoy the neighborhood. Tonight they were going to submit their proposal for Eayrs Pond usage by the Hudson Travel Soccer Club. They have full funding to put in a field. It will not impact the taxpayers at all. They will receive donations and grant money to put in and maintain a soccer field with irrigation so the field does not become a dust bowl. They went through the proper steps to come up with a win-win proposal for everyone. He hoped people would look at the proposal before they pass judgement on what they are trying to do for the kids of Hudson. The club is a non-profit organization. They volunteer their time; none of them get paid. He puts in over 20 hours a week and he takes it very seriously, all for the kids of Hudson. If things need to be discussed, they should discuss them. If there is a place for the kids to play soccer, they should find it. This plan was presented to the Rec Department at their last meeting.

Recreation Director David Yates said when he took over as Rec Director three years ago, Eayrs Pond was one of the first sites shown to him when he toured the Town. It was on the CIP for a couple of years and then they switched gears and focused on Jette Field and Nottingham Field. One of the reasons for that was because making Eayrs Pond into a field would require a lot of work and because of the neighborhood. It was a dead issue until about a month ago when Mike addressed the Rec Committee and got them thinking again. They supported it because they need more fields and this was an outside organization willing to help. The Rec Committee steered this group to the Selectmen as the next step in the process. They support the idea of more fields, but didn't know if this was the ideal location or not. He only knows they need more fields. He rode out to site today and did turn around in the gentleman's yard that mentioned earlier everyone turns around in his yard. He was supportive of the Hudson United Soccer Club if they do want to help out by building a field. Getting more fields in Town is one of the goals of the Recreation Department.

Chairman Madison asked what the Master Park Plan had recommended for the Eayrs Pond site. Mr. Deppe said it was a combination baseball/soccer field.

Selectman Charbonneau said from the comments they heard tonight, she will vote to deny using the Eayrs Pond site. They should listen to the neighborhood residents as there are other areas in Town they can use to put in a field. She is supportive of more fields, but not in this location. She suggested a site off of Barretts Hill Road on land donated to the Town.

Selectman Jasper said a common phrase is "not in my back yard," but this is a case where this field does not belong in these people's back yard. He was at the Rec Committee meeting when this was proposed and had forgotten many of the concerns that were voiced years ago. Chestnut Street is very narrow. While that is something that could be overcome, the main problem is in thinking about the neighborhood, which is a quiet area. It would be one thing to have a small playground there, but another thing to have an event like this, with many cars coming and going. It would change the dynamics of the neighborhood and he didn't think that was something they should do. The Town just purchased land from the State for the right of way off 102 at Hills Garrison School. They want to put in a road in the future, connecting 102 to 3A. They bought 500' for a four lane divided highway. They would be putting in a 50' right of way with two lanes. That leaves 450' and in looking at the plan for the soccer field, it is 195' wide. They own a very long stretch. The terrain gets rough after awhile, but the length of the field is 330'. That location seems to be ideal because of the infrastructure there. They have parking and other ball fields. The more they can concentrate fields in one location, the better off they will be. If they could get several fields in that strip and accomplish the goal of putting in the road, it would be a win-win situation. They should also ask the State about the land over by the Hazelton Barn on Bush Hill Road, a large, flat area. They can't go into Benson's, but there are areas they should look at and have discussions on to see if they can get one or two fields in that area. Those are better locations because they are both off of highly traveled roads and don't impact the number of people they are looking at here. He cannot support the Eayrs Pond site, especially after tonight.

Selectman Stewart asked if Hudson United Soccer is different than Hudson Soccer. Mr. Yates said Hudson United Soccer is a travel league and different from the Recreation Department soccer. Selectman Stewart said the next item on the agenda is the Lions Club proposing to develop a soccer field on their property. She wondered if United Soccer has had discussions with the Lions Club. Mr. Juliano doesn't think there is enough space for a regulation soccer field. Selectman Stewart asked if they looked at the site at Robinson Pond. Mr. Yates said that is too small. Mr. Juliano said at least four acres is needed for a soccer field. Selectman Stewart supported Selectman Jasper's recommendation for a site on 102. Selectman Charbonneau said she was thinking of that parcel, too.

Mr. Juliano said the goal of the club is to help the youth of Hudson, not to hurt the citizens. That is totally opposite to their objective. They owe it to the youth to do whatever they can to achieve that goal. Chairman Madison said they hope to find a soccer field while keeping the residents happy, too. Mr. Juliano said he is open to ideas and has been ever since he first came before the Selectmen. He wouldn't be sitting here tonight with this proposal if he was aware of the level of objection to this site. Chairman Madison said at least the plan is ready and can be adapted to another area. Mr. Juliano said they will entertain other sites. Mr. Deppe said the Town is in need of lots of fields. A complex would be great, but they can't find the place for even one field. If the Lions plan goes through for more ball fields, the Town will benefit. That is the approach they are trying to take—working together for the kids.

Selectman Seabury apologized for sending United Soccer off in the wrong direction, but it was included in the Master Plan. This site should be removed from the plan to avoid further confusion in the future. Chairman Madison said they heard that a turn-around is needed in that area, too.

Motion by Selectman Charbonneau, seconded by Selectman Jasper, that they go forward and look at other areas and deny the Eayrs Pond site carried unanimously.

Selectman Charbonneau said she has always been concerned about fields for the kids because it's important to have activities to keep the youth out of trouble. She admired Mr. Juliano for the job he's doing and she didn't want him to think the Selectmen don't want this because they do. Route 102 would be an ideal location. Mr. Juliano asked if they were looking at weeks or months. Selectman Jasper

said the land is available now. The State will be stubbing in the road to their driveway and from then on, it's available. The Selectmen will have to figure out the right of way to leave for a future road. Then they can go in to see what works in there--and that road may never happen. They're not committed to building it any time soon. This was something long term they were looking at. United Soccer can get going on it any time. The Town Engineer has the GIS maps. He applauded Mr. Juliano for his efforts and apologized that they met with such a roadblock on their first effort and asked him to understand that the Board is appreciative of what they are trying to do, but the traffic concerns and the dynamics of the neighborhood make this site inappropriate. Mr. Juliano understood; their motivation never has been to hurt the Town of Hudson.

Mr. Deppe asked if their next step was to meet with the Director of Community Development. Chairman Madison said yes, and if they run into any problems, they can call the Selectmen. Selectman Jasper asked Chairman Madison if she and Selectman Charbonneau would explore with DOT, using an area for some ball fields. Chairman Madison said yes, she has that written down. It could be outside of the 35-acre historic district. There is a lot of land outside of the actual park area. Once the State has marked out where they are going to put the wetlands, they will know better where they are, but that's a long term solution. Selectman Jasper said 102 would be immediate.

Chairman Madison recognized a resident, as there were no objections from the Board, who said he wanted Mr. Juliano to know this wasn't anything against United Soccer because they do an awesome job. It was an outcry by the Eayrs Pond residents that they don't want a soccer field in their neighborhood.

Chairman Madison called for a brief recess at 8:40 p.m., while the Eayrs Pond residents left the room. The meeting resumed at 8:48 p.m.

7. NEW BUSINESS

A. Construction of Soccer Field and Softball Field by Lions Club

Chairman Madison recognized Dave Morin, President of the Lions Club. Selectman Jasper jokingly said Mr. Morin better be careful, or he'd be wearing as many hats as him. Selectman Seabury said he should be voted Outstanding Citizen of the Year because he does *everything*. Chairman Madison agreed. Selectman Jasper said he was nominated; Chairman Madison said they should do it again.

Mr. Morin thanked the Selectmen for their remarks and stated that the Lions Club hoped to construct ball fields on the four acres of land at the end of Water Street. There are major hurdles they will have to overcome, such as the neighborhood residents and a pond in there, the old swimming pool, which is a wetlands area. They haven't addressed that yet. He just wanted the Board to know that they are doing this to try to help out the kids of the Town with some fields. He confirmed that the area isn't big enough to include a soccer field, as originally hoped. They are thinking of a baseball field and a girls' softball field and possibly, a practice soccer field. The pond, at this point, is a hazard. It is all overgrown and the kids are in there all the time. The Fire Department used to use that area for training, but not any more as it is too overgrown. They'd like to clean it up and put it to good use. He lives in that neighborhood and the traffic will be an issue, but they hope to address that. They will continue to work with Dave Yates and the Recreation Department. He hopes they call all work together to make everyone happy. As they get further along, he will come to the Board again for a progress report. They have to meet with other Town committees to see what they can do with the pond. Selectman Seabury said she didn't dare say anything except good job. There were no objections from any of the Board members. Chairman Madison said he could go forward to look at it to see what he could come up with. He thanked the Board.

B. Acceptance of a Donation of Water/Juice to the Recreation Department by Twin Mountain Spring Water Company, valued at \$500

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to accept the donation, with thanks, carried unanimously.

C. Sewer Items:

1) Request for Sewer Capacity Allocation (218 Central Street, Map 20/Lot 20)

Motion to approve, as recommended by the Sewer Consultant and Town Engineer, by Selectman Seabury, seconded by Selectman Jasper, carried unanimously.

2) Sewer Rates

Motion to approve, (maintain the present rate) as recommended by the Sewer Utility Committee, by Selectman Charbonneau, seconded by Selectman Stewart, carried unanimously.

3) Engineering Contract

Chairman Madison said the Sewer Utility was asking the Selectmen to waive the policy and award the contract to CLD. The Finance Director informed her that the bids were not advertised for this project, but CLD submitted an engineering proposal, which has been reviewed by the Sewer Utility and the Town Engineer and they recommend awarding the contract to CLD, based on their extensive technical experience with the sewer utility and their in-depth knowledge of the project.

Motion by Selectman Stewart, seconded by Selectman Jasper, to approve awarding the engineering contract for the Burns Hill gravity sewer and Glen Drive pump station to CLD Consulting engineers in the amount of \$120,945.

Selectman Charbonneau said CLD does a tremendous job and she was in favor of them getting the contract, but she thinks they should go out to bid. Selectman Jasper said there were circumstances where going out to bid is impractical, and this is one of them. This project that has been on-going for at least 10 years and Tom Sommers has intimate knowledge of every step of that process. To go with anyone else would be changing horses mid-stream. Chairman Madison agreed, saying it would be too expensive to change. Selectman Charbonneau said she brought this up because she wanted it on record that they have worked on this project for 10 years. Selectman Stewart said the Sewer Committee felt this was the most cost-effective way to go.

Vote: Motion carried unanimously.

4) Abatement Request (1 Sunland Drive)

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

5) Sewer Acceptance (Shepherd's Hill, Map 25, Lot 214)

Motion by Selectman Seabury, seconded by Selectman Jasper, to accept, as recommended by the Town Engineer, the Road Agent and the Sewer Utility Committee.

Selectman Seabury said she has been reading the reports that have been coming in from the consultant. He is there every day they work on those sewers. Every time they find a discrepancy, they repair it or redo it. It may be overkill, but they have done an excellent job.

Vote: Motion carried unanimously.

D. Assessing Items:

1) Veteran's Tax Credit Application (12 Hummingbird Lane, Map 029/026/007)

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

2) Application for Blind Exemption (57 School Street, Map 51, Lot 135)

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

8. OTHER BUSINESS

A. Blasting

Selectman Seabury moved to deny the blasting permit for Maine Blasting until past claims have been reconciled, seconded by Selectman Stewart. Selectman Jasper checked the Code and stated the appropriate action was the for Board to recommend to the Fire Chief to do that. Other Selectmen agreed with him.

(Start Tape 2, Side A)

Selectman Jasper suggested that the motion be to recommend that the Fire Chief deny the permit "for other good cause," that being prior damage that has not been rectified.

Motion by Selectman Seabury, seconded by Selectman Stewart, to recommend to the Fire Chief to deny the blasting permit "for other good cause", that being prior damage that has not been rectified carried unanimously.

B. Raffle Permit by the Seniors for Old Home Days

Motion by Selectman Stewart, seconded by Selectman Charbonneau, carried unanimously.

C. Hudson Speedway

Chairman Madison said they have a request to authorize the Hudson Speedway to start practice activity at 4:00 p.m., one hour earlier than usual, on Sunday, July 29.

Motion by Selectman Jasper, seconded by Selectman Stewart, to grant the waiver, with the stipulation that the races shall end no later than 10:00 p.m.

Selectman Jasper said Mr. Weber called him last night, and was agreeable to giving them an hour on the front end, but ending 45 minutes earlier. Selectman Seabury said Mr. Weber called her, too.

Vote: Motion carried.

D. BAE's 50th Anniversary

Chairman Madison congratulated BAE on their 50th anniversary. She had planned to attend the celebration, but when she got to the office this morning at she saw the memo that said you had to be there at 10:30 because they were going to block off the street. She had another appointment, so she never did get there.

E. Towing Service

Chairman Madison said this item was scheduled for Nonpublic, but it was going to be taken up in open session instead. She recognized Police Chief Richard Gendron, who said they've been contracting towing services since 1990. A legal opinion back then was they shouldn't be controlling the towing business themselves because of the liability. This will be the third contract they've signed with towing companies in Hudson to provide towing for vehicles involved in accidents, arrests, evidence, impounds, abandoned cars and, during snowstorms, removal of those vehicles that are illegally parked or off the road, etc. They have been towing with On Call Towing Service of Hudson since 1991. At that time, the company was Boyer's Auto Body, JOK's Towing and J & S Towing. Recently Pioneer Automotive on River Road was added to the association. For 11 years, they have had outstanding service with this company. The towing companies involved have been able to meet the response time demands, so a police officer isn't tied up, standing by the vehicle. The department has approximately 425 calls a year for towing. The Police Department is also provided with unlimited access to association members' facilities, free of charge, to conduct vehicle inspections and to use their lifts and equipment. An RFP was sent out for towing service. Three proposals went out to On Call Towing Services of Hudson, Abbott Towing and Pioneer Automotive Services. They received two responses, one from On Call Towing and one from Pioneer. Pioneer later withdrew, indicating they were going to join On Call Towing Services of Hudson. The fees listing was attached. Town vehicles towed in for repairs will be discounted. The Police Department recommends awarding the contract to On Call, since they meet and exceed the requirements set forth in the RFP, and they have a good track record. The contract will be effective August 1, 2001 through July 31, 2006.

Motion by Selectman Jasper, seconded by Selectman Stewart, to award the contract, as recommended by the Chief of Police carried unanimously.

F. MRI Report and Update

Selectman Jasper didn't think this needed Board action. Part of the business of Town is getting information out to the people but, if no one knows it is there, even though it is public information, they don't see it. Through the Chairman, the Fire Chief was asked to do a status update to the MRI report. Selectman Jasper noted it has been done and that the two-part report is a matter of public record, unless the Board disagrees. Selectman Seabury said she lost hers. Chairman Madison said they'd see that she gets another one.

G. RV's

Selectman Charbonneau said Mrs. Durant called her last week because she is having a terrible problem with the constant noise from the three-wheelers. Chairman Madison asked where this was. Selectman Jasper said they are the motor bikes over by Connie's. Selectman Charbonneau said she promised to look into it, so that is what she is doing.

9. LICENSES AND PERMITS

- A. Outdoor Gathering Permit for Old Home Days, August 17, 18 & 19, 2001**
- B. Raffle Permit by Hudson Police K-9 Unit**
- C. Raffle Permit by Juvenile Diabetes Research Foundation**
- D. Raffle Permit by Hudson United Soccer Club**
- E. Raffle Permit by Hudson Historical Society**

Items A-E pertain to Old Home Days, so Selectman Jasper stepped away from the table and sat in the audience, as he signed the application for the Outdoor Gathering Permit.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to approve items A-E carried 4-0.

Selectman Jasper returned to his Selectman's seat.

10. ACCEPTANCE OF MINUTES

Minutes of the Selectmen's Meeting of July 10, 2001

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to accept, as presented, the Minutes of July 10, 2001 and refer to file carried unanimously.

11. COMMITTEE ANNOUNCEMENTS

07/25 7:00 pm Planning Board in CD Meeting Room
 07/26 7:30 pm ZBA in CD Meeting Room
 07/26 7:00 pm Brox Blasting Meeting @ First Baptist Church, 236 Central Street
 08/01 7:00 pm Planning Board in CD Meeting Room
 08/06 7:00 pm Friends of Natural Resources in CD Meeting Room
 08/07 4:00 pm Benson's Committee in BOS Meeting Room
 08/07 7:00 pm Trustees of the Trust Funds
 08/08 7:00 pm Planning Board in CD Meeting Room
 08/09 6:00 pm CIP in BOS Meeting Room
 08/09 6:30 pm Recreation Committee at Rec Center
 08/09 7:00 pm Sewer Utility Committee in SCR
 08/09 7:30 pm ZBA in CD Meeting Room
 08/13 6:30 pm School Board in BOS Meeting Room
 08/14 7:30 pm BOS in BOS Meeting Room
 08/17, 18 & 19 Old Home Days

12. LIAISON REPORTS

Selectman Ann Seabury asked when the Town sent the letter out to the parents of the children at the Rec Department. Selectman Stewart said two weeks ago. Selectman Seabury said this came up last night at the Library Trustees meeting. When she was covering the office on Monday during Priscilla's lunch hour, she noticed a lot of kids in Town Hall by the vending machines. She did not think kids could leave the Rec Center property without permission, or they would be sent home. Kids have been showing up at the Library, the schools and Town Hall, causing quite a bit of havoc. She doesn't think these kids are going back to the Rec Center, after they leave at noon. Several mothers have caught kids skateboarding out in the streets. She worries about the Town's liability. One time, a paving truck had backed into the school parking lot and kids were using the ramps from the truck for skateboarding. She didn't know what they were going to do. She felt badly for the Librarian, because they are short-handed to begin with. They had an incident involving a kid where they had to call in the police. If this continues, they will have a big problem. She didn't know how they were going to control them.

Chairman Madison said they had this same issue a few years ago. Selectman Stewart said counselors patrol the perimeter hourly. Five kids were being herded back today when she was there. The parents are called. After two or three infractions, they are asked to leave the program. She thought Town Hall and Library staff should immediately call Dave Yates or Heather to come down and get them. Selectman Seabury asked if the Town was legally responsible for the kids that have signed up for the Rec program, if they get hurt during their time away from the Rec center, adding that one year the Town had to pay regarding a roller skating incident. The Town could be in terrible trouble. Selectman Jasper didn't think they were in trouble on that. The liability goes with the children, and the parents have been notified. With sovereign immunity, it's very difficult to sue a town for something it didn't have direct liability on and the Town has done its best to control the issue. What they have to worry about is getting the children out of the program. He was at the Rec meeting following the Selectmen's meeting where that directive was given, and the concern is with about 10-15 kids who are in the last year of the program. Perhaps they should lower the age limit for participation. The problem is there is a lot of good kids who aren't problems that would lose out. It's a matter of patrolling it better. He didn't think they should be given three chances; it should be only one time because it's not just a mistake, it is a deliberate action; they shouldn't have a second chance.

Chairman Madison agreed. She believes a lot of parents are using the Rec Center as a babysitting service at only \$40 a summer. There is no supervision at lunch time, so the kids do what they want. Most of the parents care, but some drop the kids off in the morning and pick them up at night. Whatever happens in between, they figure the Town will take care of it. It only takes a small number to cause a lot of problems.

Selectman Charbonneau had a call from someone whose son is eight or nine. As a single parent who works, but she will pay more money to keep her son at the Rec Center. If they charged \$100 instead of \$40, they could provide supervision at lunch time. She didn't think the problem was with the younger kids. Selectman Stewart said of the five she saw herded back today, one was quite small and one was about 13. Selectman Charbonneau said the younger ones do what the older, big shots do. The Town is losing money every year in the Recreation Department. They need to take a hard look at what they are charging. Chairman Madison said that's something they will have to do for next year. Maybe they can restructure the summer program to include lunch. They can have a public hearing and change the fees. It's a wonderful program. Selectman Charbonneau said the mother she talked to said she loves the program, too, but she has a problem with the lunch hour where she has to pick up her son.

Selectman Jasper said he asked the Rec Committee, when they come forward with their budget for next year, to come forward with a fee schedule that would show what it would cost to run a break-even summer program. He can ask them, at their next meeting, to figure out what it would cost to provide supervision for those that want to stay for lunch. They can look at the costs for providing lunch for those that don't bring it, and the cost for those who do. Selectman Stewart said today was sub day, so for \$3 they got subs. Chairman Madison said on days food isn't provided, they can contract it out. She said Selectman Jasper will bring this to the next Recreation Committee meeting and they'll wait to see what he comes forward with.

Selectman Seabury said at the Library meeting last night they discussed forming a building committee and they need volunteers. They are going to notice the civic groups for someone to represent that group that maybe has some expertise in the building of libraries. She agreed to be their liaison to the building committee, as long as they meet on Mondays. Hopefully, interested viewers will contact the Librarian. The Library was very fortunate that they had a surplus at the end of the year and was able to replace almost all of the money they lost from the warrant article. They were able to transfer \$30,000.

Selectman Charbonneau said she spoke to Frank and they got a few things ironed out.

- Selectman Jasper said he's already pretty much given his report for the Recreation Department. He was at the Police Department's swearing in ceremony of one new officer and the new sergeant on Friday. The Chief gave out numerous awards and recognized officers who had done well at the Academy and various other things. They can all be proud of the Police Department and how things are coming along there. It was a nice time and the cake was delicious. Selectman Seabury was there, as well.

- Chairman Madison said the Benson's Committee met, but she wasn't able to attend as she had another meeting. Laurie Jasper did an excellent job on the Minutes. The next meeting is August 7 at 4:00. She is still going to Planning Board 'school,' which she really likes. She has learned a lot and always comes away with a whole list of things to go look up. She is enjoying it.

13. REMARKS BY THE SELECTMEN

Selectman Jasper said he wanted to briefly respond to a letter that appeared in the HLN and Telegraph. It's unfortunate that when some people write letters, they don't have the facts. He didn't know where the gentleman was getting his information, but of all the things he (Selectman Jasper) has been accused of over the years, and all of the things he will no doubt be accused of, one of the things he has never been accused of is interfering on the fire grounds. The gentlemen implied in his letter that was one of the problems. Selectman Jasper said he does not, never has and never will interfere. He knows well what his role is on the fire grounds and that letter was an unfair and unwarranted attack.

- He would like to see them set up a workshop to discuss budget parameters and give some direction to the department heads. They will no doubt be beginning their budget process, if they haven't already started. With some of the things that are going to be impacting the budget, the Selectmen ought to say up front, "Here's what we're looking at," and, in some cases, not to even come in with certain requests. That will save a lot of heartache and trouble later on. Selectman Seabury agreed.

The Board decided to set the budget workshop for August 7, 2001 at 7:00 p.m., with a request for department heads to be present, particularly the Town Administrator and Finance Director. They need to look at where the tax rate is headed and maybe get some preliminary numbers from the Assessor, if possible. They have the contracts they are aware of, and they have to look at the health costs and other possible factors so they can look at a ballpark figure. Chairman Madison said whether or not the department heads attend is up to them, but they will get an idea of how the Board feels, if they are present. Selectman Seabury asked if the Selectmen have any idea of what the school budget will be. Chairman Madison said no, they don't.

Selectman Charbonneau said a number of people have asked how Claude, her husband, who had a stroke, is doing. He is doing very well and is able to move his left hand and leg. It is expected he will be out of the hospital by the 8th.

- Selectman Seabury really enjoyed the Police Department's ceremony. They are fortunate to have such bright people coming into the community. She was very impressed with what they did at the Academy. The Town is very fortunate to have them. Chairman Madison hopes other police departments keep their hands off of them.

- Selectman Stewart thanked Selectman Jasper for covering the budget meeting for her last week. Friday night, Litchfield had outdoor movies at Darrah Pond. Only about 20 people showed up, but it was a nice night. I was something different, and it was free. (Selectman Seabury asked about mosquitoes. Selectman Stewart said to use bug spray.) The Rec Department tried this during the winter; maybe they can try it again. It was a fun night out.

- Chairman Madison said on 102 coming into Hudson, there is a huge lot on the left hand side, that is the biggest eyesore she has ever seen; it may be in Litchfield. Selectman Charbonneau said it was in Londonderry. Chairman Madison said they should let the Council in Londonderry know about that horrible eyesore. Selectman Charbonneau said it's just construction equipment for the company that is putting in the gas or electric line. They are all usable vehicles. Chairman Madison said it looks like a burial ground for all the old construction equipment in the whole world. She noticed Howard Dilworth had his hand raised, so she recognized him.

- Mr. Dilworth said he read in the Derry News that issue was discussed at the Londonderry planning meetings, but not at the Council meetings. There is a major fight going on in the Council over the fact that they bought out the Town Manager's contract and tried to hide it from everybody, but it's coming out in public. Selectman Seabury said it looks disgraceful. Chairman Madison thought the Planning Board should have some kind of say, or put up a fence. It looks terrible. Mr. Dilworth believes they were trying to get them to move it. Chairman Madison said that would be even better. Selectman Seabury said it's definitely a junk yard.

14. NONPUBLIC SESSION

Motion by Selectman Jasper, seconded by Selectman Stewart, to enter Nonpublic Session under RSA 91-A:3 II (a) personnel issues and (b) the hiring of a public employee which carried 5-0 by roll call vote.

- Nonpublic Session was entered into at 9:35 p.m. and was terminated at 9:46 p.m.

Motion by Selectman Seabury, seconded by Selectman Jasper, to transfer Paul Sharpe, (who is retiring from his full-time position as Equipment Operator effective July 27, 2001), to the part-time position in the Street Division, at a pay rate of \$12.00 per hour, effective July 29, 2001 carried unanimously.

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to promote Eric Dionne as Equipment Operator in the Highway Department, Grade XII, Step minimum, at a pay rate of \$15.23 per hour, in accordance with the union contract, effective July 29, 2001 carried unanimously.

Motion by Selectman Seabury, seconded by Selectman Jasper, to hire William Davidson as Truck Driver/Laborer in the Highway Department, at a pay rate of \$13.13 per hour, Grade VIII, Step minimum, in accordance with the union contract, effective July 29, 2001 carried unanimously.

15. **ADJOURNMENT**

Motion by Selectman Jasper, seconded by Selectman Stewart, to adjourn at 9:48 p.m. carried unanimously.

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

HUDSON BOARD OF SELECTMEN

Chairman E. Lorraine Madison

Rhona Charbonneau

Shawn N. Jasper

Ann Seabury

Terry Stewart