

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the June 12, 2001 Meeting**

7:00 – 7:30 p.m. Attorney Client Session

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

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2. **PLEDGE OF ALLEGIANCE** was led by Selectman Charbonneau

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3. **ATTENDANCE**

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

**Staff/Others:** Paul D. Sharon, Town Administrator; Sean T. Sullivan, Director of Community Development; Terry McLlarky, Sewer Utility Committee; Jean Serino; Howard Dilworth, Jr.

4. **PUBLIC INPUT**

**Jean Serino, 118 Robinson Road – Airplane Flyovers** Ms. Serino, speaking on behalf of her neighborhood, which is located in the northern part of Hudson, said the overhead plane traffic has become intolerable. She contacted Mike Farland at the airport, who told her that she wouldn't hear it when the weather got warmer, but the noise has gotten worse. When the airport expansion was discussed, all of the area towns were invited to the table, except Hudson. She spoke with the Mayor of Manchester, who suggested she call Chief Gendron, who said the Town has a Noise Ordinance, but it doesn't cover the airport noise. She hoped that question could be put to the voters at Town Meeting. On another subject, with all of the talk about the Oblate land being for sale, the Nadeau farm might be a better buy and St. Katherine's should buy the Oblate land to keep it in the church. Chairman Madison told Ms. Serino the Board would take her comments into consideration.

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**Howard Dilworth, Jr., 36 Old Derry Road – Plot Plan** Mr. Dilworth wanted to talk about the recent policy that staff enacted, saying that he received a couple phone calls on it, in addition to several Board members getting phone calls or e-mails on it. He said when you consider that you have to go out and have a piece of property surveyed to do some minor renovations to your land, such as a patio or deck, the surveyor could easily equal or exceed the cost of doing the project. That will encourage people not to get building permits, which is not a good thing. This Town has put a fair amount of time and money into the GIS project. He doesn't know where that is at this time, but when CDM came before the Town to explain how they had just finished a project for another town, they showed how they could show an individual lot and where the house sat on the lot and if it was infringing on any wetlands, or if there were setback problems, etc. If that is going to be good enough for the Planning Board to sue, then the citizens ought to be able to derive some benefit out of it, too. He offered that as an alternative, rather than just adopting what's being proposed.

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 5. **CORRESPONDENCE**

A. From: Kevin Burns, Road Agent  
 Re: Town-wide Paving  
 Refer to: New Business

B. From: Paul Sharon, Town Administrator  
 Re: •Proposals for Custodial Services  
 •Personnel Policies & Procedures  
 Refer to: Old Business

C. From: Terry McLlarky, Chairman, Sewer Utility Committee  
 Re: Procedure for Election of Committee Officers  
 Refer to: New Business

D. From: Tom Sommers, Sewer Consultant  
 Re: Sewer Allocation Requests  
 Refer to: Old Business and New Business

E. From: Sean T. Sullivan, Director of Community Development  
 Re: •Appointment of Deputy Health Officer  
 •Plot Plan Policy  
 Refer to: New Business

F. From: Jim Michaud, Assessor  
 Re: Various Assessing Items  
 Refer to: New Business

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

## 6. NOMINATIONS & APPOINTMENTS

Chairman Madison said the Board would be conducting interviews tonight, but appointments are made at their second meeting of the month.

### A. Building Board of Appeals (1 Member, Term to expire 12/31/02)

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 There were no applicants.

### B. Nashua Regional Planning Commission (1 Alternate, Term to expire 12/31/02)

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 James Barnes  
 Donald B. White

### C. Planning Board (1 Alternate, Term to expire 12/31/03)

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James Barnes, who lives at 3 McKinney Drive, has been a Hudson resident for 17 years. He believes in volunteerism and served on the Conservation Commission from 1986-1994, so he is somewhat familiar with the responsibilities of Planning Board members. He was unable to stay on the Conservation Commission because of work issues, but those have been reduced and he now does have the time. He's a manager at NorTel Networks in Chelmsford, a software development firm, and has been there for 12 years. He will sign an IFDF, can make the meetings, and would consider an appointment to the NRPC.

Donald B. White, 13 Shoal Creek Road, said he'd like to serve on the Planning Board because he'd be very good at it. He is highly qualified and the type of work is suitable for an engineer. It requires discipline and logic and he has the experience to help them in any situation. He is well acquainted with the RSA's and statutes that govern State planning and zoning boards. During discussions, many facets come up and, with his knowledge, they may be able to avoid entanglements or he could help clarify cloudy areas. If the information is understood by everyone, it would be a real service to the Town. Looking ahead, the Town is going to go through some interesting times, given the growth rate. They will need to do things to adapt to the changing climate. Certain things need to be done to alleviate things, such as the traffic problem, before it gets more out of hand than it already is. He will sign an IFDF, can make the meetings, and would consider an appointment to the NRPC.

## 7. OLD BUSINESS

Motion to change the Order of the Day to take up 8-A, Award of Bid for Town-Wide Paving, by Selectman Seabury, seconded by Selectman Stewart, carried unanimously.

### 8-A. Award of Bid for Town-wide Paving Contract

Chairman Madison recognized the Road Agent, Kevin Burns, who recommended awarding the bid to the low bidder, Brox Industries, for an amount not to exceed \$350,000. Selectman Seabury so moved, seconded by Selectman Stewart, carried unanimously.

### A. Greeley Street Sidewalks, w/Tony Basso, HIS

Selectman Jasper asked for the Road Agent's input on this subject. Mr. Burns said he is opposed to grass strips between the sidewalk and the curbing as it's a maintenance headache and makes plowing difficult. The mailboxes are going to become a battle. The Post Office will say they have the right to put them in the sidewalk because it's rural delivery, but they don't have that right because of the ADA. The Town fought them on Central Street years ago, and got them to put in cluster boxes, but on Derry Street, they were plopped in before the Highway Department even knew about it. Other than the mailbox issue, he doesn't have any problem with the sidewalks going in along Greeley Street.

Chairman Madison said at their last meeting, the Board decided against grass strips. When she was at the last Planning Board meeting, she asked Tony Basso to be present tonight to talk about the sidewalk issue. When he arrives, they will take it up.

(Taken up after Item 8-D New Business.)

**B. Proposals for Custodial Services**

Mr. Sharon said the RFP was sent out to about a dozen area businesses. Three were received. They seem complex because of the way the proposal was constructed, which was based on a weekly charge, additional on-call hourly fee, a not-to-exceed weekly fee and, in the case of Lion's Hall, a minimum monthly charge for management services, and a charge for each event (w/and w/o setup). The incumbent contractor, CCI, is the low bidder and Mr. Sharon's recommendation.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to award the contract, as recommended by the Town Administrator, carried unanimously.

**C. Personnel Policies & Procedures**

- 1) **Salaries & Wages**
- 2) **Classification Plan**
- 3) **Performance Evaluation**

Mr. Sharon said these were the final three sections in the re-write of the personnel policies. They do not represent significant changes, but reflect modernization and the way business is currently done. With the passage of these, the only remaining thing would be periodic updates, as needed.

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to adopt the chapters on Salaries & Wages, Classification Plan and Performance Evaluation carried unanimously.

**D. Sewer Allocation Request (28 Lowell Road, Map 48, Lot 52, Star Dynasty)**

Chairman Madison said this was before them at the last meeting, but the Board wanted clarification from the Sewer Consultant, which he provided. He and the Town Engineer were recommending approval. Selectman Seabury said if this restaurant was going into the mall with the blue roof, that will make three restaurants there and wondered if that would put them over capacity, because restaurants use a lot of water.

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the sewer capacity allocation for Star Dynasty, as recommended by the Consulting Engineer.

Selectman Jasper said this isn't something they can just arbitrarily deny, if the requirements are met. As people use up the remaining 160,000 gallons of allocation, they may get to the point where they have to say no, but they are not at that point at this time. Selectman Seabury asked if people get fined for plugging up the system with grease. The Sewer Utility Committee Chairman said yes. Selectman Jasper said this restaurant shouldn't be treated differently than the other two similar types of restaurants in Town that are already on sewer and, with the proper traps and maintenance within the facility, it shouldn't be a problem. This is a newer building being refitted specifically for this, so he didn't anticipate a problem.

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

**E. Public Hearing on the acceptance of a Parcel of Land shown as Map 16, Lot 5-9**

Chairman Madison said the public hearing was inadvertently omitted when the parcel was accepted by the Board of Selectmen on May 22, so it's back on the agenda to fulfill that requirement. She opened the public hearing and asked if anyone wished to speak on the dedication and acceptance of a parcel of land shown as Map 16/Lot 5-9 on plan entitled "Woodland Estates, Bush Hill Road, Hudson, New Hampshire, prepared for HSWY Real Estate Trust by Maynard & Paquette Engineering Associates, dated January 12, 1998." There was no response, so she closed the hearing.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to reaccept this parcel.

Selectman Seabury asked how big this lot was and if it was undevelopable. Mr. Sharon thought it was an undevelopable lot. Chairman Madison said at her first Planning Board meeting, she let them know that they should not accept land on behalf of the Town without the prior approval of the Board of Selectmen.

Vote: Motion carried unanimously.

## 8. NEW BUSINESS

### A. Award of Bid for Town-wide Paving Contract

This item was taken up earlier in the meeting, prior to the start of Old Business.

### B. Request of Endorsement for Procedure for Election of Sewer Utility Committee Officers

Chairman Madison recognized the Chairman of the Sewer Utility Committee, Terry McLlarky, who said this is a combination of common sense and good practice. Prior to January 2001, they did not have a vice chairman and when Mr. Bednar was sick in November and December of last year, they had to scurry around and the liaison to the Board of Selectmen conducted the meetings. In the Practices and Procedures manual, there was nothing that specified annual election of officers.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to endorse the procedure for the annual election of the Sewer Utility Committee officers and to direct the Town Administrator to draft an amendment to the Sewer Policies and Procedures manual that would incorporate these changes.

Selectman Jasper said since the routine appointments are done in December for January 1<sup>st</sup>, this could simply say that the election of officers would be held at the January meeting.

Vote: Motion carried unanimously.

### Notice of Sewer Acceptance Form

Chairman Madison said that CLD has changed the form to include a signoff line for the Road Agent and other minor changes. This form is identified as Exhibit 25 and was approved by the Sewer Utility Committee on May 10.

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

### C. Sewer Allocation Request (Map 26, Lot 24-1, Hudson Park Drive, Pole Automotive Service Center)

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

### D. Plot Plan Policy

Chairman Madison said this item was brought up in a previous nonpublic session, but it was not a nonpublic item. Since it should have been done in public, that is why she put it on tonight's agenda. She has received e-mails about this, there has been a lot of talk about it, and there was an article in the HLN about it, so it has generated a lot of interest, discussion and concern. The people who are affected by this requirement need a full explanation. She recognized Community Development Director, Sean Sullivan, who distributed a handout to the Board and said that the recently enacted policy in the Community Development Department have been in effect since April 1. He read the notice aloud as follows:

All building and permit applications shall be accompanied by a plot plan prepared by a registered land surveyor and be not older than six months from the date of building permit application. Also, any wetland within 50' of the proposed work area shall be shown on the plot plan. The only exception shall be for an above-ground pool or shed.

He said this policy was new for the Town since April 1 and, although they had some complaints, most people have accepted the policy when it is explained to them that both the Town and the home owner will benefit for having a plan drawn by a professional, registered in New Hampshire and authorized by the State to make a determination on the lot lines and proposed location of a permanent structure, which would include an in-ground pool. The first three documents in the packet he handed out were copies of certified plot plans, as drawn by a registered land surveyor in NH. These are recent applications that he thought would be helpful for a comparative analysis for the Board to see what a professional land surveyor could produce from a land standpoint with a proposed permanent structure on the lot. The second set of documents were examples of plans submitted within the last year for various structures, prior to the policy. People try to do their very best, but the best from a zoning standpoint sometimes isn't good enough. It would be helpful for staff and the homeowner to be certain where the lot lines exist and the proximity to a permanent structure would be located. It would eliminate the possibility for staff to make mistakes and it would protect the homeowner so that when he or she transfers that property on a pending sale, it would be helpful. The intention of the policy is a good one. It's a good land use policy. He understands there is an added cost to the homeowner, which is

approximately \$500, but it is money well spent in the long run.

Chairman Madison read an e-mail, as follows: "Our plot plan is older than six months. We have lived in our house for a little over two years. A plot plan was filed when our home was built. No changes have been made since that time. Now we have to go to the expense of getting the land surveyed." Mr. Sullivan said they have no reason not to believe the homeowner, but if they were to have built a shed or deck the Town didn't know about, and is potentially too close to the lot line, the surveyor would locate that on the new plan and would be able to tell them what adjustments need to be made. In an instance like that, however, some flexibility could be considered, or they could amend the policy to go beyond the six-month restriction, but it should not be older than three years.

(Start of Tape 1, Second Side)

Chairman Madison asked about using GIS, as suggested by Howard Dilworth. Mr. Sullivan believes GIS is reliable within approximately two feet. The challenge is that in last month alone, they issued over 80 permits. The resource and time necessary to pull out a GIS file on every building permit application would be unworkable. It's a good suggestion, but not practical. It can be a guide and a tool, but he wouldn't want to use that as the sole means of determining a lot line location of a deck or an addition.

Chairman Madison asked about an instance where a person has the funds to build a new deck, but not the \$500 for a plot plan. Mr. Sullivan said they would evaluate that on a case by case basis because he wants to be fair to people, but discretion should be limited. He didn't want staff, who are standing at the counter, to have to make that determination. If there is an extraordinary circumstance, and there have been a couple, it can be worked out with the individual.

Chairman Madison wasn't at the meeting that this was talked about in nonpublic session, but she understands it was not formally accepted by the Board. Mr. Sullivan said that was correct.

Selectman Jasper said his concern is similar to the Chairman's. He can't understand why someone can't use a certified plot plan, even if it is 25 years old. They do inspections on the buildings anyway and if they see the building hasn't changed, and that the wetlands are identified, and anything else that needs to be identified is on the plan, he didn't understand why someone has to spend additional money to start all over again. \$500 is a fairly large sum of money for most people.

Selectman Seabury said she is a firm believer in plot plans; staff shouldn't have to deal with hand-drawn sketches. She cited an example of a house on Merrimack street that was just eyeballed where it should be built, which eventually ended up in court, and the judge told them to move it. She didn't think it was ok for someone to hand draw an addition on a certified plot plan. Selectman Jasper agreed. Age of a plan shouldn't affect anything if all of the criteria is met.

Mr. Sullivan said one concern is with the wetlands, which can change and, typically, they get larger and not smaller. And they can change in a year. Sometimes people don't realize that a shed that is delivered by truck needs a building permit, and it may be five feet from the lot line. Someone may think they never did anything to the house. However, a surveyor would notice a shed located on the property. It's those things they can catch. In most instances, they could work out something that would be in accordance with Town policies and be agreeable to the homeowner.

Mr. Sharon said Mr. Sullivan deserves a lot of credit for bringing some order to a disorderly process. Most homeowners don't know where the middle of the right of way is. It's impossible to measure without the assistance of Town staff or having it surveyed. A hand-drawing also does not show any construction changes that may have been made in the process of putting up a building. Of the 80 permits pulled last month, 10 were for pools and sheds. Of the remaining 70, only three were for projects less than \$1,500 and those were decks. In perspective, \$500 isn't that much.

Chairman Madison didn't have a problem if someone needs to have a plot plan, but the notice does not allow for exceptions and won't vote for the policy, as currently written. There needs to be something in there allowing for an exception, saying they should see the Community Development Director. Selectman Charbonneau asked if they could do it on a case by case basis. Chairman Madison said if someone comes in who can't afford the money for a plot plan, they shouldn't be shown the door; they should be helped. Mr. Sullivan said he couldn't agree more and they've made every effort to do that. He cautioned doing it on a case by case basis because then it becomes discretionary. He'd like to keep a narrow window for discretion and hoped the Board would allow him that authority to make the call. The intention of code enforcement is to be reasonable. Selectman Seabury said she loved the policy.

Selectman Jasper said the problem is that the meek are going to read this and do it, while the pushy are going to be pushy about it. Based on the way it is written, there will be different standards for different personalities. The average person isn't going to feel there is any room for him or her to talk to the Director about. Mr. Sullivan said this is the busiest time of the year for people and it takes about a month to hire a surveyor and get them out to your property and produce and deliver a plan. This is a great

time of the year for pools and decks, but you don't think much about it until the sun is out, so the delay is a concern to the people, as well as the cost. His department works with the people and turn building permits around in half the time that the statutes allow. If the Board wants him to change the policy, he will, but there needs to be a standard and, if it allows for an exception, that is ok, because different people have different issues.

Motion by Selectman Seabury, seconded by Selectman Stewart, to approve the plot plan, as written.

Selectman Seabury said the building department has gone willy-nilly for many years and needs help from the Selectmen. They've finally got someone in who wants to do something constructive; they've got to give him the support. They've got to let him work with something because it is a busy time of year. It is too scary to take it on a case by case basis. They can't possibly do that without showing favoritism. Chairman Madison said she appreciates everything that was said and understands they can't work on a case by case basis, but she will not vote for this without some kind of exception for the person who needs some help.

Vote: Motion failed 2-3. Selectmen Seabury and Stewart voted in favor; Selectmen Madison, Jasper and Charbonneau were opposed.

Motion by Selectman Jasper, seconded by Selectman Seabury, that this policy remain in effect on a temporary basis, with the understanding that accommodations will be made for special circumstances and that the Community Development Director will come back at the next meeting with policy modifications.

Selectman Jasper said it would be terrible to have a two-week window where there wasn't a policy in effect. Based on the previous discussion, Mr. Sullivan will come back at the next meeting with a modified policy. Chairman Madison didn't want to see the policy change, just a line added to it.

Selectman Seabury asked how they were going to deal with problematic issues, such as putting up a deck in the wetlands. Mr. Sullivan said there would be no real alternative there. If the person in that instance had a financial issue, and it was only a deck, they would go out and make a determination if they were too close to the wetland and make them go through the ZBA process. However, they don't front-end every single building permit application. They rely on the plan, which guides them through the process on whether or not they are entitled to a building permit. Oftentimes inspections take place when a foundation is put in. You got your permit, you call and they send the building inspector out for a foundation inspection. That is the time when they would catch things. If the wetland was shown on the plan, which is what he would recommend, then they catch that right away and there is no room for any error. Staff is not perfect, but they'd like to reduce or eliminate those mistakes. Chairman Madison thanked Mr. Sullivan, adding that he is doing a wonderful job.

Vote: Motion carried unanimously.

#### **7-A. Sidewalks at Greeley Street**

Chairman Madison said she had asked Mr. Basso to come back to the Board to talk about the sidewalks at Greeley Street because there were some questions, etc. Mr. Basso said they met with the Planning Board at a workshop about a week ago to discuss the outcome of the Selectmen's meeting. The Planning Board referred it back to Town staff to make a determination on what the sidewalk should be. The Selectmen had denied them authorization to work in the right of way at Old Derry Road. They took that to the Planning Board and they agreed that the money to be used for that could be spent to add additional sidewalk on Greeley to wherever Royal Oaks goes as Pondview to get the connections closer. The Board of Selectmen had decided that there will be no grass strip. The Planning Board felt that that was a little rigid because it's different in all cases, depending on where the sidewalk is. That's why they left it in the hands of Sean Sullivan, Kathy McKenna and Kevin Burns to figure out where it should go in each individual case. In some cases, you can't put in drainage and curbing and put the sidewalk against it. In some cases, you have to work with the mailboxes in the street, which have to be a certain distance from the road. They need a little leeway to be able to work with staff and come up with a solution for the particular area they are working in.

Selectman Jasper asked the developer who was present when he is asked by the Planning Board to commit to a certain dollar amount of improvements for sidewalks, if it makes any difference where the sidewalks are put. Mr. Sousa said absolutely not. Selectman Jasper said they should be building a network of sidewalks, not a piece here and a piece there that don't connect. They should be asking developers to work from the center of the Town, where the sidewalks exist, and build out instead of putting sections here and there and hope, by the grace of God, someday they will all connect. In the best case scenario, we'll build all those sidewalks anyhow, and the worst case scenario, at least they'll have sidewalks that go from the center of Town to somewhere and end instead of here and there and everywhere. He is in favor of sidewalks, but opposed to doing this. It is ridiculous to start building sidewalks out in the middle of Greeley Street.

Mr. Basso agreed to a certain extent. A lot of times when the Planning Board asks them to build a piece of sidewalk, he (Mr.

Basso) can control the frontage. If it's not right of way, he can dedicate it to the Town and make it right of way. If the Selectmen want sidewalk out on 102, a couple of things happen. Do we control the right of way? Can we work there? Is there enough right of way for us to work in? It's hard for him at a Planning Board meeting if it pops up for him to say hey, I control that 500', we'll do it. It's a great idea, but he questioned implementation. Selectman Jasper said they have to do it in areas they control from the center of Town or they have to attain that right of way. He doubted if it would matter to Mr. Sousa when he builds the sidewalks, if they need that period of time to get the right of way. It should be planned comprehensively to get a consistent system of sidewalks, not just where it's most convenient to put them at a particular time. Sidewalks can be a great benefit, but not the way they're doing it.

Selectman Seabury said a lot of people want sidewalks when they move into their developments. They like to push their baby carriages on the sidewalks, kids play on the sidewalks and they ride bikes on the sidewalks. Mr. Basso said no one is suggesting they don't do sidewalks inside the development. In Pondview, there is 11,000' of internal sidewalk, with a giant loop and that is wonderful for the people who live there. On the outside of the development, they are putting 750' to nowhere, so he can see Selectman Jasper's point. His suggestion would be, in order to implement what Selectman Jasper is suggesting, to take the roads and come up with a master plan for sidewalks, where they want them, and each time a project comes through, someone from Community Development would have to identify the section that should be built. Then they'd have to chase after the right of way and then get the builder to commit to building it. It would have to be done in some kind of orderly manner. Now, it is done at Planning Board meetings. The Planning Board asks him, he looks at Manny and Manny says he will do it. It wouldn't be able to be like that any more. It would have to be more planned.

Selectman Stewart agreed in part with Selectmen Jasper, but sidewalks should be around the schools and down Ferry Street. Selectman Jasper agreed. They should pick the areas where they want the sidewalks. Selectman Stewart said Manny put a nice sidewalk in front of Brook Plaza, but it drops to nothing. They need to look at areas where the kids are walking.

Selectman Seabury said they were going to have a big problem putting sidewalks into established neighborhoods. She's not that brave; they all backed down on Pelham Road, and there should be a sidewalk there. The developer walked away because this Board couldn't figure out how to say to these people that they were going to take that fence and those trees and widen the road. When you start building sidewalks, you have to think about what you are going to do with the water, so they have to get Engineering involved to put in a drainage system. It's an absolute nightmare to go in and take people's land.

Chairman Madison asked how long it would take to come up with a sidewalk plan. Mr. Sullivan said it probably could be done within a year. At the community he worked for in Massachusetts, the Selectmen appointed a sidewalk committee, volunteers from the Town, and assigned them the task of doing what Selectman Stewart suggested, working with the School Department and coming up with a list of prioritized streets in Town where sidewalks could be installed. Through the development community and a grant from state government, they were able to put together about \$200,000 for sidewalks.

Selectman Jasper said Mike Reynolds came in with the beginning of a sidewalk plan, so the basis of that should already exist. Chairman Madison asked if they put in the sidewalks where he is proposing, or do they put it all on hold until they come up with a plan. Selectman Jasper said that is up to Mr. Sousa, who may say he wants to get this done. Chairman Madison said it isn't going to be only Mr. Sousa; it's going to be all the builders in Town. Selectman Jasper said the Planning Board has a little more control with the next ones that come along because as part of the agreement, just like they put a road bond in, they can commit to a certain time frame. He's sure they will find plenty of areas where they already control the right of way that they can do this pretty easily.

Selectman Charbonneau says she sees many cars parked on the sidewalks where kids are supposed to walk. Sidewalks with curbs are costly. In Litchfield, a lot of people walk on a strip of tar from Pinecrest to Page Road. Derry Road is the most dangerous road around here and that should be widened for people to be able to walk on the side of the road. She didn't understand why they should have fancy curbing, which is costly. As it is, they are putting in a piece here and a piece there. In front of the church, they have a skinny little sidewalk that goes to a gully, and it was required! That was a waste of time and money. They should have some kind of a plan.

Chairman Madison asked Mr. Sullivan if the Selectmen should have them put in the sidewalks, or what. Mr. Sullivan said he'd like to talk to the Planner and Mr. Basso and then come back to the Board with a recommendation. Chairman Madison asked if he'd be able to have that by the next Board meeting. Mr. Sullivan said he'd try. Chairman Madison said if not, they'd extend it for one more meeting (July 10).

#### **E. Appointment of Deputy Health Officer**

*Motion by Selectman Stewart, seconded by Selectman Jasper, to appoint Glenn Whalen as Deputy Health Officer for the Town of Hudson, NH carried unanimously.*

**F. Assessing Items**

- 1) **Veteran's Tax Credit Applications** (107B Kimball Hill Road, Map 027/Lot 009/Sublot 01B; 49 Adelaide Street, Map 057, Lot 036; 43 Lexington Court, Map 023, Lot 017, Sublot 026; 11 Adelaide Street, Map 052, Lot 054)

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

- 2) **Abatement Application** (31 Mobile Drive, Map 27, Lot 15-110)

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

**9. OTHER BUSINESS**

**A. Promotion of Charles Dyac to Sergeant in the Police Department**

Chairman Madison said at their last meeting, they approved the promotion of Police Officer Charles Dyac to Sergeant, effective June 3, 2001 at \$21.54 per hour, which was not voted on in public at that time to allow some time for the information to be conveyed before it became public.

**B. Invitation to the Graduation of the Hudson Citizens' Police Academy**

Chairman Madison announced that the Board was invited to the graduation of the 6<sup>th</sup> Citizens' Police Academy for tomorrow, Wednesday, June 13 at the Nottingham West School at 6:30 p.m.

**10. LICENSES AND PERMITS**

**Request for Outdoor Gathering Permit to hold a Fishing Derby at Merrill Park on June 23 from 7 am – 4 pm.**

*Motion by Selectman Charbonneau, seconded by Selectman Jasper, to approve the request carried unanimously.*

**11. ACCEPTANCE OF MINUTES**

**Board of Selectmen's Minutes of May 22, 2001**

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

**12. COMMITTEE ANNOUNCEMENTS**

- 6/13 7:00 Planning Board in DCD Mtg. Rm.
- 6/14 6:30 Rec Cmt. @ Rec Ctr.
- 6/14 7:00 Sewer Utility in Small Conf. Rm.
- 6/14 7:30 ZBA in DCD Rm.
- 6/18 6:30 School Bd. In BOS Mtg. Rm.
- 6/18 7:30 Conservation Cmsn. in DCD Mtg. Rm.
- 6/20 7:00 Planning & Zoning in DCD Mtg. Rm.
- 6/21 7:30 Budget Cmt. in DCD Mtg. Rm.
- 6/26 6:00 Trustees of the Trust Funds
- 6/26 7:30 Board of Selectmen in BOS Mtg. Rm.

Chairman Madison said if any of the Board members want to tour the new school, they are to be at the trailer at 4:00 p.m. tomorrow and the Chamber's Business After Hours meeting will be on Thursday, June 28 at 5:30 p.m.

**13. REMARKS BY THE SELECTMEN**

**Selectman Shawn Jasper** read the following statement: "At the next meeting, this Board intends to decide on whether or not to ask the Ethics Committee to draft an amendment to the Ethics Ordinance, which would prohibit any Selectman from holding a part-time job



within the Town. While that may sound reasonable on the surface, I implore you to consider that my part-time job as a call fire fighter is not a job; it's a calling. When I joined the Fire Department, I received only a stipend, which was fine with me. Does the money now come in handy? Certainly, but your problem is not with the money I earn, it's with the knowledge I gain. I doubt that your opinion would change if I were a volunteer and received no compensation at all. If that is true, then my point is proved. When you take the first step in two weeks, I ask that you base your decision on specifics and not on feelings. It is not fair to me or to my family to damn me based on 'I think' and 'I feel.' If asking questions and challenging decisions outside of the fire grounds is interfering, then perhaps I am guilty. But I believe it is the job of a Selectman to question and to challenge. I have not brought issues to the public forum. My issues, to this point, have been handled internally, as most issues in Town are. They do not rise to the level of public debate. For 21 years, I have served this Town as an elected local and State official, and for 18 of those same years, have served as a call fire fighter. Four times I have been elected to this Board by the people of this Town. I have always made it clear during the campaigns that I was also a fire fighter. I ask that the four of you prepare the specifics before you start the wheels in motion to remove me from either this Board or from the Fire Department. Thank you."

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**Selectman Rhona Charbonneau** said she recently read in the paper where the Oblate Fathers were going to sell their land. She feels the Town has worked very well with the Oblate Fathers. The State says this is historical land and she feels bad that the Oblate Fathers did not do something for the Town. Money isn't everything.

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(Start of Tape 2, Side A)

It would be beneficial to the Town. It's a beautiful piece of property that she would hate to see go into development. She hoped the Oblates would take a good, hard look at this and try to work out something with the Town. They have to preserve this piece because it is historical land. She'd hate to see it turned into condos or housing. She was asking the Oblate Fathers to try to work out something for the Town so the Town may purchase this historical piece of land.

On Sunday, the Fireman's Memorial was beautiful. It was an emotional ceremony, but very nice. She and Mr. Sharon were there and she thinks it is wonderful what the fire fighters do. It was a great tribute to them.

**Selectman Ann Seabury** said last night, she and Selectman Charbonneau went to Lion's Hall (where Selectman Terry Stewart was the spaghetti server) for a nice scholarship dinner program. It lasted about two hours and was an exciting presentation. They gave out over \$400,000 in 'small' scholarships, so it was pretty impressive. Not only are they the #1 school in the State, they have some pretty bright kids, as well.

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She complained that the Selectmen haven't been receiving invitations to the various functions involving the Police Department. She would like to plan to attend, but would like to be notified in a timely manner. They get criticized for not attending something, but they don't know about it until the last minute.

**Selectman Terry Stewart** supported what Selectman Charbonneau said about the Oblate land. Growing up, all she heard about is they lost the Friary, and that was a beautiful piece of property. They should preserve the Oblates in any way they can work out with the Brothers to see if they can bring it to the voters in March to preserve the land for conservation, recreation or whatever.

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She wanted to address the Thumbs Down, too, because when she read it on Friday, her comment was, "Who retired?" She didn't know anything about it.

A big thank you and hats off to Shawn and Laurie Jasper for the successful retirement party they gave for Webb Palmer last Thursday night. He was a good friend and he will be missed. They don't make teachers like him any more. Her husband said in all his years of going to school, he can't think of one teacher that they would do something like that for.

**Chairman E. Lorraine Madison** said she thought the award that Selectman Jasper presented to Webb Palmer was one of the nicest ones she's seen. He presented him with the key to the Town of Hudson. Mr. Palmer certainly does deserve it. Selectman Jasper did an excellent job and it was a nice time. As every speaker said, they've never seen as many people at a retirement party. It was a very nice time and he was very deserving.

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**14. NONPUBLIC SESSION**

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

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Nonpublic Session was entered into at 9:20 p.m. and was terminated at 10:27 p.m.

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

Motion by Selectman Jasper, seconded by Selectman Stewart, to hire Gerald Coogan at \$2,000 a month for 12 months, June 15, 2001 through June 15, 2002 carried unanimously.

15. **ADJOURNMENT**

Motion to adjourn at 10:30 by Selectman Jasper, seconded by Selectman Stewart, carried unanimously.

Recorded by Selectman Ann Seabury.

Transcribed by Priscilla Boisvert, Executive Assistant to the Board of Selectmen

**HUDSON BOARD OF SELECTMEN**

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**Chairman E. Lorraine Madison**

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**Rhona Charbonneau**

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**Shawn N. Jasper**

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**Ann Seabury**

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**Terry Stewart**