

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the May 22, 2001 Meeting**

Attorney-Client/Labor Relations Session from 7:00 p.m. – 8: 20 p.m.

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 8:20 p.m.

-

2. **PLEDGE OF ALLEGIANCE**, led by Selectman Ann Seabury

-

3. **ATTENDANCE**

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

**Staff/Others**: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Bill Kress and Bernie Manor from the School Department; Frank Carpentino, Fire Chief; Shawn Murphy, Assistant Fire Chief; Manny Sousa; Tony Basso; Police Capt. Ray Mello; David Yates, Recreation Director; Jennifer Richtarek and Ed Caban from the Recreation Committee; Heather Murphy, Summer Rec Director; Kathy Brown and son, John; Patty Regan; Lee Lavoie; John, Derry News

-

4. **PUBLIC INPUT**

**Patty Regan, 7 Little Hales Lane, re Sidewalks** – Ms. Regan said she lives off Musquash Road, in an area that has been built up. Baby carriages, strollers, and joggers have to use the side of the road. She, and other residents, hoped sidewalks could be put in. There is a safety issue because kids have to walk to the bus stops. A paving company told her it would cost about \$100,000 to put in a mile of sidewalk. Chairman Madison said the Board would take this up under Other Business and asked if anyone else in the audience wished to speak. There was no response.

5. **CORRESPONDENCE**

A. From: Mike Gospodarek, Town Engineer  
 Re: Access Road at Hills Garrison School  
 Refer to: New Business

B. From: David Yates, Recreation Director  
 Re: Skateboard Park; Playground Equipment for Greeley Street Park  
 Refer to: New Business

C. From: Frank Carpentino, Fire Chief  
 Re: Several Fire Department Items  
 Refer to: New Business

D. From: Tony Basso, Hayner/Swanson  
 Re: Pond View Estates, Off-site Improvements, Greeley Street and Old Derry Road  
 Refer to: New Business

E. From: Sean T. Sullivan, Director of Community Development  
 Re: Sidewalk Installation on Greeley Street  
 Refer to: New Business

F. From: Mike Gospodarek, Town Engineer  
 Re: Local Source Water Protection Grant  
 Refer to: New Business

G. From: Tom Sommers, Sewer Consultant & Terry McLlarky, Sewer  
 Utility Chairman  
 Re: Various Sewer-related Items  
 Refer to: New Business

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

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

*carried unanimously.*

## 6. NEW BUSINESS

### A. Access Road at Hills Garrison School

Chairman Madison recognized Bill Kress and Bernie Manor from the School Department. Mr. Kress said they were present in hopes that the Selectmen will accept the concept so they can go forward with a full engineering plan. Bernie Manor displayed the latest plan, saying the State is ok with what they are planning to do with the roadway. Chairman Madison said the Town Engineer issued a memo today, saying the roadway layout is acceptable, but the asphalt-wearing surface should be 1½” thick not ½” thick. He also suggested the pavement markings be thermoplastic for the access roadway. He further stated that he would continue his review and forward comments relating to the underground utilities and roadway design elements. Mr. Sharon said this plan is significantly different from the one Mr. Gospodarek initially reviewed and has been brought into compliance with his wishes.

Selectman Stewart asked about Mr. Gospodarek’s concerns with drainage, etc., in his April 24 memo. Mr. Sharon said his clear impression is that everything is acceptable on the land the Town is buying from the State, at the throat intersection with 102 and the sidewalks. Chairman Madison thought the new plans have addressed all of Mr. Gospodarek’s concerns because his latest memo states that the roadway layout is acceptable. Mr. Manor said he’s had conversations with the Town Engineer, who is satisfied with the drainage changes. They have been working closely with Mike, and will do whatever needs to be done. Mr. Kress said it would be advantageous if the access road and 102 roadwork is bid together, to get it moving as quickly as possible. As soon as the Board approves the layout, they can develop bid specs.

Selectman Jasper asked about the traffic light. Mr. Manor said the District 5 engineer is not proposing they go forward with a light, but Dave Alukonis talked with Carol Murray, who has instructed the District 5 engineer to call Dave about the light. Selectman Jasper asked if this design layout has all the components in place so it can be added without affecting anything. Mr. Kress said all of the infrastructure is in place, but they need to get in by September 1<sup>st</sup> even if there is no light there. Chairman Madison wanted to make sure everything was in place for the light. Mr. Kress assured her it is. Selectman Charbonneau asked if this is the plan favored by Mr. Alukonis. Mr. Kress said it is very similar, with just a couple of changes. It includes the Y, which is basically what he proposed. Mr. Manor said it addresses all the concerns.

*Motion by Selectman Seabury, seconded by Selectman Charbonneau, to approve the plan, subject to the Town Engineer’s final review and acceptance, carried unanimously.*

### B. Hills Garrison School Marker

Selectman Jasper said the idea came up about the possibility of moving the Hills Garrison marker to the new school, which is still probably within the site of the original Garrison. Priscilla Clegg contacted Sam Tamposi, Jr. who was willing to allow the marker to be moved. All he would require would be a letter to that effect. The Hudson Historical Society unanimously recommend that the marker be moved. If it is kept where it is, it will undoubtedly be destroyed with heavy equipment operating around it and it is difficult to get the school children out to see it. The School District is willing to absorb the cost to have it moved.

*Motion by Selectman Jasper, seconded by Selectman Stewart, that the Board of Selectmen endorse the idea of moving the Hills Garrison marker to the Hills Garrison School carried unanimously.*

### C. Skateboard Park

Recreation Director Dave Yates said Rec Committee members, Ed Caban and Jen Richtarek, were with him tonight, as well as Lee Lavoie, who has shown a lot of interest in this project, and John Brown, a skateboarder, who is interested in getting this project going. In March, the committee met with the Selectmen. A lot of questions were raised at that time, and the committee has tried to answer them. They hope the Selectmen will authorize them to use the Melendy-Central site for this project. They are going to try to get grants and donations for the construction of the \$53,000 park. They plan to use the existing cement pad in the building which is on the site now, after it is demolished, which will be the actual floor of the skateboard park. Kevin has recommended leaving the green metal building on site for storage, including the skateboard ramps during the winter, to increase their life. Dave said he’s spoken with Chief Gendron and Capt. Mello, and the Police Department has pledged their full support. They are in agreement with the concept and the site, which is a high visibility area. Kevin said the Highway Department has money in its upcoming budget to landscape the area, once the building is down. He will put bushes around the building, do the grassy areas and driveway and clean up the area and make it look nice. Regarding liability, NHMA Property Liability said it falls under the Town’s umbrella policy, just like any sporting event.

Chairman Madison said the construction won't cost the taxpayer anything; it will be funded through grants, donations and fundraisers. Dave said future maintenance will be included in the Rec Department's budget. Steel ramps and frames is more expensive than wood, but it will last longer and there will be fewer maintenance and liability problems. Portable ramps will be laid on the cement surface. They may have to put a skim coat on first to flatten it out because it has been gouged from all of the equipment that was in there. The cement pad will be cleaned and then the fence will go around the flooring.

Chairman Madison was not present when the Rec Committee met with the Board, but the Minutes state that they were asked to come back with a drawing and, if approved, they would then go to the Planning Board, but there is no indication the Board actually approved the Melendy Road site. Selectman Jasper said that was correct, that they were to look at other sites and come back to the Board with a recommendation. Mr. Yates said the recommendation was for the Melendy Road site. Chairman Madison asked if the committee had their plans ready for the Planning Board. Mr. Yates thought the Board's ok first.

*Motion by Selectman Jasper, seconded by Selectman Seabury, to approve the Melendy Road site for a skateboard park and further that they allow the metal building to be refurbished on the outside and remain in place, carried unanimously.*

Selectman Stewart said Westford and Chelmsford charge user fees for their skateboard parks, which is something Hudson might do. Selectman Jasper said if they charge, they lose their exclusion from the liability. Massachusetts is a different state, so it's a different law. Chairman Madison suggested this would be only for Hudson residents. Several Selectmen said they couldn't restrict it like that. Selectman Stewart said other towns are instituting user fees because of a host of problems they are having. Selectman Seabury said it may be something they can look at later. Right now, it's important to get it moving.

#### **D. Playground Equipment for Greeley Park**

Recreation Director Dave Yates said \$22,000 was approved for playground equipment for Greeley Park in the upcoming budget. He was seeking Board authorization to order now, so that it can be erected and used this summer. It is under budget and includes a wood carpet for safety and to make it ADA accessible. Selectman Charbonneau didn't think this area was large enough for this equipment. Mr. Yates said this will be replacing the playground that is already there.

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to approve carried unanimously.*

Selectman Jasper said perhaps the Town should enter into discussions with the Thompson family about a long-term plan for parking. Mr. Yates said he would talk to them.

#### **E. Fire Department Issues**

##### **1) Renovations to Fire Administration Building**

Fire Chief Frank Carpentino said when they moved into the Administration building two years ago with five people, they pretty much maxed it out. After July, they will be adding another secretary, so they need to do some minor renovations to include space for the extra person. The work will be done by members of the Fire Department, hired back to do the work. The estimated cost to take the wall down, add a counter, make it handicap accessible and do cosmetic repairs is \$2,500. The biggest expense will be trying to match the carpet.

*Motion by Selectman Charbonneau, seconded by Selectman Stewart, to approve carried unanimously.*

##### **2) Purchase of Computer for Fire Inspector's Office**

Fire Chief Carpentino said Fire Prevention had two computers scheduled for replacement in the Computer Plan. When Rich Pauley was hired several years ago, they were short a computer, so one was bought for him at that time. Through a County grant, they bought a laptop computer that Shane Sewade used, which is being shared by people in Fire Prevention, training, the EMS division and other employees who are doing training out in the community, leaving the employee without a unit to do his work. A separate account was set up so the employee could work on the Fire Marshal's computer. The Finance Director and Data Processing Manager reviewed the plan and agreed that it hadn't been updated to reflect a third person in Fire Prevention. Fortunately, the HLN and Telegraph have not charged for a lot of Fire Prevention advertising, so they have some extra money there for a computer.

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to approve the purchase of a \$1,200 computer for the Fire Inspector's Office carried unanimously.*

**3) Purchase of Protective Clothing**

Chief Carpentino said several of their people left to go to Nashua, so Hudson hired new employees and six started last week. They have utilized the available protective clothing to outfit these people on a temporary basis. They need to purchase a set of protective clothing for each of them, with the exception of the Assistant Chief. There are no funds in the present budget, nor was it budgeted for next year. The money that was budgeted for protective clothing was for the two employees that were approved in July, plus replacement of existing gear that is in service right now. They need to order five sets at \$1,000 apiece, plus miscellaneous items. They plan to use funds that was intended for paramedic school and are asking to transfer \$6,000 to protective clothing. They are wearing the new gear that was bought for the other employees. Some of the fit, and some needs alternations. They used what they have in stock, but in many cases, it is a mismatch. They each have a set of summer and winter gear. Selectman Jasper said they actually need a total of 12 sets. Chief Carpentino said Capt. Brewer is just buying the gear for the four fire fighters that were put on and the Fire Inspector, plus alterations and miscellaneous equipment for the Assistant Chief and for other people. They had a helmet that was run over this week that needs to be replaced.

*Motion by Selectman Charbonneau, seconded by Selectman Stewart, to transfer \$6,000 from 5750-237 EMS Training Account to purchase protective clothing, carried unanimously.*

**4) Communications Antenna at Robinson Road Fire Station**

Chief Carpentino said a new, pitched roof was put on the Robinson Road station. When that happened, the old, makeshift antenna had to be taken down. In order to install an antenna properly, they have to purchase the stanchions, assemble them on site, pour a concrete pad, etc. at an estimated cost of \$3,000. This is a safety item because they have communications shortfalls in that part of Town and they are asking for authorization from the Board to find the necessary funds in various accounts to have the antenna installed. He will put together a packet for Paul and Steve.

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to approve spending \$3,000 to erect a new antenna carried 4-0.* Selectman Jasper abstained because it directly affects him.

(Start tape 1, Second Side)

**5) Storage Request**

Chief Carpentino said the Firefighters Relief Association is seeking authorization to temporarily store a piece of equipment in the shed at the old Highway garage on Melendy Road. They already spoke to Kevin Burns, who said it's up to the Board of Selectmen. Chief Carpentino spoke on behalf of the Association, saying this long-standing organization has done a lot of good things for the community. Chairman Madison doesn't want the Rec project to be held up because the old fire engine is in the shed. Selectman Jasper said both the Squad A, a 1926 Chevy and the Super Lemon, a 1941 Federal, were stored at Robinson Road, but there was no longer any room. The Federal was moved outside, but Selectman Jasper didn't think that was a good idea, so he moved it into one of his garages, along with Squad A, in a different building. Unfortunately, his father needed the garage, so it went back outside and stayed out all winter. He talked to Kevin and they were going to put a hoop house over it, but that didn't happen. They have room for the Chevy, and that is going to stay in the other building, but the other one is still outside.

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to store the Super Lemon temporarily at Melendy and Central Street.*

-  
Selectman Charbonneau seconded the motion with the understanding that they could use the building only if it wasn't in use. Selectman Stewart said she'd like it out before the skateboard park opens.

*Vote: Motion carried 4-0.* Selectman Jasper, a member of the Association, abstained.

**F. Pond View Estates, Off-Site Improvements, Greeley Street and Old Derry Road**

Chairman Madison recognized Manny Sousa and his engineer, Tony Basso, from Hayner Swanson, who said four years ago, a 105-lot subdivision, Pond View Estates, was approved on Greeley Street, with two off-site conditions. Back then they used to put the conditions on, with no thought given to Selectmen approval for working in the right of way by. When they tried to do the work, they were stopped. On Greeley Street, Mr. Sousa had agreed to construct a length of sidewalk that would connect to his development and go up the hill towards the church. The second improvement was a right-turn slip lane on Old Derry Road at the intersection of 102. A number of the tall pine trees in front of Selectman Charbonneau's home will be affected because the poles need to be moved back. Selectman Charbonneau said she would not give permission for the transformer to be moved onto her

land. Mr. Basso said that wasn't being considered. He referenced a memo from Sean Sullivan and Kevin Burns regarding curbing, etc., and was asking for permission to work in the right of way for both projects. Regarding the conditions of approval, he will work that out with the department heads and, if necessary, with the Planning Board.

Chairman Madison said that Mike Gospodarek's memo says, regarding Route 102 and Old Derry Road improvements, the Town's State driveway permit will need to be modified and he recommended that NH DOT review and comment on the proposal. Mr. Basso knew they would have to go through that process and would work out the details with staff and the Planning Board. Sidewalks were an issue four years ago, and the Planning Board wanted grass strips. If things have changed, they will deal with it. Mr. Sharon said staff (Kevin Burns, Sean Sullivan and Mike Gospodarek) prefer no grass strips.

*Motion by Selectman Jasper, seconded by Selectman Seabury, to not allow sidewalks to be constructed in this area with a grass strip between the roadway and the sidewalk.*

-

Selectman Seabury asked what area he was referring to. Selectman Jasper said any area where the Town owns the road. The Planning Board can do what they want in the roads they haven't constructed, but the Selectmen have control over Town-owned roads. They have made the recommendation to the Planning Board in the past to eliminate grass strips. Chairman Madison said they become eyesores because no one maintains them. Selectman Jasper said in Pond View, there is probably 1,000' with no houses and wondered who was going to maintain that. Selectman Stewart said the association. Mr. Sousa interjected the grass is on the right of way and not the association's responsibility. (Talking over each other.)

Selectman Charbonneau said it doesn't make sense to put in a piece of sidewalk from Pond View up to the church. Where does it go? How does it go down? How does it go up? All these houses are built, they aren't going to build any more. It's stupid. Just like over there at the church on 102. They required them to have a sidewalk, but it doesn't connect to anything. It doesn't go anywhere and is not good for anything. Selectman Stewart said this was the previous Town Planner's vision.

Selectman Jasper said he has concerns about the whole idea of sidewalks. They have got miles of roads that will never have sidewalks on them. His vision would be to pave a wider shoulder so someone will have someplace to go beyond the fog line. They could put in a wider shoulder all over Town, at much less cost. Little sections of sidewalks all over Town is ridiculous. It will never get finished. Mr. Sharon said where they do have the opportunity to put up a barrier curb and, at the same time, address the drainage issues, they're better doing that than widening the shoulder. Selectman Jasper said aren't they better to do 1,000' of pavement than 500' of sidewalk? Most of the main thoroughfares in Hudson are developed. They can put sidewalks in, but he thinks it is a terrible waste of money and doesn't accomplish very much. Chairman Madison said it is a requirement of the site plan and they are prepared to do it. Selectman Seabury talked about the way things are done in Maine and in Florida.

*Vote: Motion carried unanimously.*

Chairman Madison said Mr. Basso is looking for authorization that will allow them to work in the right of way. Selectman Jasper said he'd like to have discussions with the Road Agent and the Town Engineer. He didn't like the idea of taking down trees and moving poles at 102 & Old Derry Road. Mr. Basso said this is a minimal improvement, traffic-wise and will not change the level of service to that intersection, but will help with right turns. Mr. Sousa is willing to offer what that costs for a project that might be more useful. If that is what is decided, they will go back to the Planning Board and ask for an amendment to their condition of approval. Selectman Charbonneau didn't object to the widening, only to the transformer going on her property. She will not authorize that. Selectman Jasper didn't think the work would substantially improve the intersection. It's not a long wait to make a left hand turn, and you can get past the cars to make a right hand turn, as long as there are only one or two cars.

*Motion by Selectman Jasper, seconded by Selectman Stewart, to deny permission to work in the right of way at 102 and Old Derry Road and that they request the applicant go back to the Planning Board for a recommendation as to where else to spend that money or to make that contribution.*

-

Selectman Charbonneau asked where the widening would begin. Mr. Basso said it would be about 200' long, tapering from nothing out to the intersection. Selectman Charbonneau didn't see how that would solve the problem. Mr. Basso said it won't. Selectman Seabury asked if a traffic light was going to be at that intersection eventually. Mr. Basso did not know the State's intentions. The pass-by volume on 102 causes the failure on Old Derry, but he's not sure there are enough cars coming out of Old Derry Road to meet the eight hour warrants that the State requires for a traffic signal. He's not sure a signal is in the cards at all. Selectman Seabury asked if the Town got the recommendation from NH DOT. Chairman Madison said no, the Town Engineer recommends that NH DOT review and comment on the proposal. Selectman Seabury asked how long that would take. Mr. Basso said modifying an existing proposal does take awhile to get done. Plans would have to be submitted and then they would go through a review process at District 5 and then at design at the State and make sure they are not altering it in a way that is going to affect 102, which is what they are worried about. They don't care about Old Derry Road.

Selectman Seabury asked for the purpose of widening the intersection. Mr. Basso said to do what they could to help. Back when they got the approval, they looked at a number of intersections when they did the study. The study involved an intersection on the other side of Greeley at 111 and Windham Road. Back then, with Shepherd's Hill, which was in the process, and Thurston's Landing was doing something back then, and so everyone made a contribution on that end, including Mr. Sousa. They talked to their traffic consultant and asked what they could do on the other side. They said there was not much, as there was a blinker there already and it didn't warrant a traffic signal back then. The only thing they could come up with for improvements would be to add a right turn because, like Selectman Jasper said, there is room to squeeze by when making a right hand turn if only one or two cars are stacked. If there were more, you couldn't. They were looking into taking one or two of the cars out of that stack by getting them to slip by. The traffic engineer said it would not change the level of service to the intersection and the benefits are negligible, but there is a certain benefit for the people making a right turn, so Mr. Sousa agreed to it. That was their offering to the Planning Board, and it was accepted. Selectman Stewart didn't remember this coming before the Planning Board. Mr. Basso said it was in 96-97, when Selectman Charbonneau was the liaison and she voted on it. Selectman Charbonneau didn't see how this was going to work, but she didn't want to stop progress. They can cut down the trees, but she doesn't want an electrical box in her yard.

Vote: Motion carried 4-0. Selectman Charbonneau abstained because it deals with her.

-  
Motion by Selectman Stewart, seconded by Selectman Seabury, to grant permission to work in the right of way on the Greeley Street sidewalk project carried 4-1. Selectman Jasper voted in opposition.

Chairman Madison advised Mr. Basso that he needs to go back to the Planning Board regarding 102 and Old Derry Road and also regarding the no grass strips on sidewalks issue.

#### **G. Sidewalk Installation on Greeley Street (Proposed YMCA Site)**

Mr. Sharon said they have a memo from Sean Sullivan, Director of Community Development, relaying discussions that took place at the Planning Board where they requested authorization from the Board of Selectmen to cause the installation of sidewalks in the area of the YMCA, if that project goes forward. He did not know how or if this piece of sidewalk would tie in with Pond View Estates. Selectmen Seabury and Stewart thought it was part of the same project and would all tie together. Selectman Seabury said it will connect with Pond View, with Selectman Stewart adding that it will go past the YMCA, almost to Barlo Signs. Selectman Seabury said the kids from Pond View can walk to the Y.

Mr. Sharon said the Planning Board would like to know the Selectmen's feelings on this. Chairman Madison read from the memo, "Prior to the Planning Board imposing this stipulation, your input and authorization is requested." Selectman Jasper said this is an existing building, with a non-profit coming in to do something. This could well end the deal, which would be a loss to the children of Hudson. Chairman Madison and Selectman Charbonneau agreed.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to deny the request to install additional sidewalks along Greeley Street in the area of the proposed YMCA site.

-  
Selectman Stewart said they should read the Planning Board Minutes first because she and Selectmen Seabury both think this is all tied in together. Tony Basso and Mr. Sousa were before the Planning Board on the same night as the YMCA was, and their plan was to go substantially past the Y. Chairman Madison said the memo indicates that the Y will have to bear the costs of the sidewalks. Selectman Jasper said it sounds to him that the request is for the Y to continue the sidewalk that Mr. Sousa is putting in; that this is an additional sidewalk. It sounds like Mr. Sousa is putting in the sidewalk in front of the Y, but this would require the Y to continue on further with additional sidewalk. He didn't believe they should have to.

Chairman Madison said it would be nice to have sidewalks. She'd really like to see the YMCA come to Hudson, but if the Planning Board puts so many obstacles in their path, they will go somewhere else. Selectmen Stewart and Seabury said these two projects were somehow co-mingled and again recommended reading the Planning Board Minutes before making any decision. Selectman Jasper said one project is six years old and one is new, so they are not really co-mingled. This is just a tie-on. Selectman Stewart said previously, Pond View was not going to put in sidewalks on Greeley Street. The other Selectman disagreed, saying that that was a stipulation. Selectman Stewart said that these two projects were co-mingled at a recent Planning Board meeting. Selectman Jasper said this sidewalk would probably just continue where Manny's leaves off. Selectman Charbonneau said Mr. Sousa said it was going to the YMCA, not past it. The YMCA has to put another addition on to this, which sounds wonderful, but who is going to pay for the rest of the sidewalk down Greeley Street? After the Y, there are power lines and houses that are already built. The developer didn't have to put any sidewalks in there, so it will just stop after the YMCA, unless they require the YMCA to go down to Barlo. Selectman Stewart said they need to check the Planning Board Minutes because Mr. Sousa also has Royal Oaks going into the area up behind Barlo Signs and it is all co-mingled.

Selectman Jasper said the YMCA doesn't bear any responsibility here, whether it is co-mingled or not. They shouldn't have to pay a nickel for sidewalks. The Town should be grateful the YMCA is considering coming into Hudson. If the Town wants sidewalks, they should build them themselves, not ask non-profits to. Chairman Madison didn't want the Planning Board to make it cost-prohibitive for the Y to come in. Selectman Stewart wasn't disagreeing, but she didn't remember the details and again suggested they should consult the Minutes. Selectman Charbonneau said she'd hate to see them lose the YMCA because it will be good for the kids, but by the time the Planning Board gets through, they won't be able to come into Town.

Vote: Motion carried 3-1. Selectman Stewart voted in opposition; Selectman Seabury abstained because she doesn't know enough about it without seeing the Planning Board minutes.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, that the Board of Selectmen recommend to the Planning Board that they do everything within their power to encourage the YMCA to locate within the Town of Hudson and be cooperative in that purpose.

Selectman Stewart said that the Planning Board *has* been cooperative. Selectman Seabury asked if Selectman Jasper was saying because of the sidewalk issue, the Planning Board wasn't cooperating. Selectman Jasper said it has been back and forth whether the Y was going to come into Town. Selectman Stewart said that had nothing to do with the Planning Board. Selectman Jasper said that wasn't his understanding. Selectman Stewart said the Y appeared before them only once. Selectman Jasper said he's not making any accusations, but the intent of his motion is for the Board of Selectmen to encourage the Planning Board to help the YMCA locate in Hudson. Selectman Stewart said they have. Chairman Madison said she would relay that message to the Planning Board. Selectman Jasper said the motion is the Selectmen's endorsement for the YMCA to locate in Hudson. Selectman Seabury said it's a silly motion.

Vote: Motion carried 3-0. Selectmen Seabury and Stewart abstained. Chairman Madison asked for the reasons. Selectman Stewart said they should check the Planning Board Minutes, who has been very gracious to the YMCA.

#### H. Local Source Water Protection Grant

Mr. Sharon said the Town has been awarded a \$15,000 grant, written by Weston & Sampson, which was part of their commission to work on the Dame and Ducharme wells issue.

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to enter into and approve a grant agreement with the NH Department of Environmental Services in the amount of \$15,000 to Hudson and to authorize Town Administrator Paul Sharon to sign such grant agreement on behalf of the Town carried unanimously.

#### I. Sewer Items

##### 1) Sewer Capacity Allocation Requests

- a) **19 Federal Street, Map 54, Lot 45**
- b) **44 Highland Street, Map 56, Lot 41**

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

- c) **28 Lowell Road, Map 48, Lot 52 (Star Dynasty)**

Selectman Stewart pointed out that Star Dynasty is currently on septic, so this is not an allocation relocation. Mr. Sharon said it is a new allocation. Selectman Seabury said there are major issues there. Chairman Madison said this needs to be sent back to Tom Sommers because he may have misunderstood Mike Gospodarek's letter.

Motion by Selectman Stewart, seconded by Selectman Seabury, to send this back to Tom Sommers, the Sewer Consultant, requesting further review.

Selectman Jasper said they are going to have to pay \$12,000 so it's not just moving their allocation. Selectman Seabury said she was at a Planning Board meeting when they were attempting to get a gas station/7-Eleven in, and a lot of information came out about problems with this particular party, such as plugging up the septic system with grease. Before she votes for it, she would like someone to go over this with a fine tooth comb.

Vote: Motion carried unanimously.

(Start Tape 2, Side A)

**2) Sewer Consulting Agreement**

- Chairman Madison said the contract is identical to last year's, with only a change in the dates.

-

*Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the agreement for the upcoming year carried unanimously.*

**3) Sewer Hookup Fee, 18 Third Street**

Chairman Madison said when sewer was installed on Third Street, installation was free, but they were not able to connect because of the way the road was constructed and the way the pipes were laid, but they have been paying a sewer user fee for years. The Sewer Committee has reviewed it and unanimously recommend that the Selectmen waive the hookup fees for this location.

*Motion by Selectman Jasper, seconded by Selectman Stewart, to waive the hookup fee for this location, as recommended by the Sewer Utility Committee, carried unanimously.*

**4) Sewer Abatement Request, S-01-10 (222 Central Street, \$1,171.56)**

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

**J. Assessing Items****1) Acquisition of Town Land by the Planning Board (Map 16, Lot 5-9)**

Chairman Madison said the Assessing Department recently received a deed, transferring the ownership of a parcel of land from a developer to the Town of Hudson. This is not the first time the Planning Board has accepted land on behalf of the Town. This takes land from a taxable status, without prior approval by the Board of Selectmen. Selectman Seabury asked why the Planning Board wanted it. Mr. Sharon said it was an out lot, that is principally wetlands. It's not necessarily all bad for the Planning Board to get these pieces of property, but there should be some sort of sign off by the Board of Selectmen. Selectman Jasper thinks they did already send direction to the Planning Board not to request land without consulting the Board of Selectmen first. Chairman Madison said if they do accept it, they should say it's subject to approval by the Board of Selectman. Selectman Jasper said they can deed it, but the Board doesn't have to accept it. However, since it is adjacent to Musquash conservation land, they probably should.

*Motion by Selectman Jasper, seconded by Selectman Seabury, to accept the deed and reiterate to the Planning Board the Selectman's desire that they not accept land on the Town's behalf without consultation and approval by the Board of Selectmen first carried unanimously.*

**2) Tenneco Property Tax Abatement Settlement**

Chairman Madison said this case has been going on for several years and has been very expensive for the Town. It has to do with a gas pipeline. The property owner has agreed to the Town's conditions for settlement, lowering the assessment to \$650,000. It does not preclude the Town from arriving at a different estimate for the reval effort for the 2002 property tax year. She is happy that this is finally settled.

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

**3) Property Tax Abatement, (Map 31, Lot 99, 132 Barretts Hill Road, \$670.46)**

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

**4) Current Use Land Use Change Tax Lien, Map 15, Lot 25-5 and****5) Current Use Land Use Change Tax Lien, Map 19, Lot 4**



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

**6) Veteran's Tax Credit Applications, 3 Logan Court, Map 024, Lot 039, Sublot 022; 7A Rangers Drive, Map 031, Lot 054, Sublot 27A**

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

**7. OTHER BUSINESS**

**A. Bush Hill Road Right of Way**

Selectman Seabury asked for a status on the Bush Hill Road right of way acquisition. Mr. Sharon wasn't sure, but Mike Gospodarek was supposed to contact Mr. Jackson. Selectman Seabury said to keep pushing.

**B. Unanticipated Revenue**

Selectman Seabury asked Selectman Jasper if he'd explain "unanticipated revenue" to the HLN, saying that he could do a far better job than she could, because they seem to be under the impression that the Town can just write checks on it. They've given the idea to John Q. Public that this is an open checkbook and this is a good forum to explain to the people that it doesn't work that way. Selectman Jasper said he'd write a brief letter of the Board's behalf, explaining budget, revenues, etc. Chairman Madison said the money left at the end of the year isn't up for grabs, like everyone seems to think. Because of what has been said, people are under the impression that they have all of this money left and wonder why it can't be used. They don't understand. Mr. Sharon said the simplistic answer is you cannot spend without appropriating and you can only appropriate at Town Meeting. Selectman Seabury said they shoot from the hip and wait till the bullets land to decide what they are going to do. She has the utmost faith Selectman Jasper will do a wonderful job. Selectman Charbonneau said he should also explain that the Town should keep a certain amount of surplus because of the bond rating and things like that.

**C. Memorial Day Parade**

Chairman Madison said the Memorial Day parade will be held on Monday, May 28 starting at 2:00 p.m. from the Shop & Save on Old Derry Road, proceeding to the Town Common for a brief ceremony and then on to the American Legion. The Selectmen usually hear from someone about this, but they didn't this year. Selectman Seabury said she had an informal invitation when she was at the Chamber dinner.

**D. Public Input Request by Patty Regan for Sidewalks on Little Hale's Lane**

Chairman Madison asked for the will of the body. Selectman Seabury said when this development came into play, it was in a very wet area. It had a lot of wetlands, so in order for the developer to get all the houses in, he had to reduce the size of the roads. The roads out there aren't the normal size of other roads in Town. She thinks a project like this would be expensive for the Town and they would probably have to go on personal property. If the residents out there truly want sidewalks, assessments can be put on their property. In Florida, they have roads that aren't paved. Her friend said they just came along and assess their homes and that's how they pave the roads. If enough people are interested in that area, it can be an assessment add on, if it's legal in New Hampshire.

Selectman Jasper thinks they are looking more for sidewalks on Musquash, Wason and Burns Hill. The problem is that it would be mega-expensive. Without question, they have a problem with their older roads that have narrow shoulders. That's why he suggested that, as part of the paving program, they need to look at widening the shoulders because often there is the travel way, the fog line and 3' of pavement before you are in the "pucker brush," and that is just not acceptable. Walking down Old Derry Road can be quite an experience and he's sure it is the same elsewhere, but they can't realistically sidewalk the whole Town. If they want to push something, they have to come in with a warrant article. Sidewalks would become a total maintenance nightmare, just in terms of moving the snow back. When you push the snow from the road onto the sidewalks, you people to walk in the road. When you have a shoulder that has no obstruction, you can move that snow way back off the side of the road and have someplace to walk. Even if they were to put sidewalks in, they'd never be able to plow them all. They would be forcing people in the road in the absolute worst time of the year, in the winter when there is ice and snow. It's not a simple issue.

Chairman Madison said even with the sidewalks they currently have, there were issues this past winter. If they put in sidewalks in this area, every other area would want them, too, and that would be virtually impossible. Mr. Sharon said if a comprehensive sidewalk program were ever to be looked at, that is an area where the Planning Board would have a significant role. He didn't

know that anyone could plan to retrofit sidewalks in a community like Hudson, where you would play “connect the dots” all over the place. Selectman Jasper said that is what the Planning Board is doing by having little pieces of sidewalk here and there. It’s fine if Mr. Sousa is going to put in sidewalks, but build them toward the center of Town, where they could use them. They should start from the center of Town and radiate out. What they are doing now is starting sidewalks in the middle of nowhere, going to nowhere. Selectman Charbonneau agreed. Selectman Seabury said it must be hard for people who come out from the city to this area and don’t find all the perks that they are used to in the city.

## 8. LICENSES AND PERMITS

### A. Request for a Hawker-Peddler Permit by Leah Lavoie to sell Ice Cream in the interest of Uncle Benz

*Motion to approve, as recommended by staff, by Selectman Jasper, seconded by Selectman Seabury, carried 4-1.* Selectman Charbonneau voted in opposition.

### B. Request for a Block Party Permit by Sandra Godschall on Pasture Drive on May 27, 2001

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

## 9. ACCEPTANCE OF MINUTES

### Minutes of the BOS Meeting of May 7, 2001

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

## 10. COMMITTEE ANNOUNCEMENTS

5/23 7:00 Planning Board in DCD Mtg. Rm.  
 5/24 7:30 ZBA in DCD Mtg. Rm.  
 5/28 Memorial Day—Town Hall closed  
 6/04 3:00 Benson Committee Site Walk  
 6/04 6:30 School Board in BOS Mtg. Rm.  
 6/06 4:00 BOS Informational Workshop in BOS Mtg. Rm.  
 6/06 7:00 Planning Board Workshop in DCD Mtg. Rm.  
 6/09 Fire Department’s Boot Drive  
 6/12 7:30 BOS in BOS Mtg. Rm.

## 11. LIAISON REPORTS

Ann Seabury met with the Library Trustees last night and they gave her some information that she should have understood when it came through the process, but didn’t. She talked about a letter written by Selectman Jasper to David Alukonis about the warrant articles. Apparently, the attorneys didn’t write the warrant articles correctly and we lost out on some funding. She didn’t understand that. Apparently, David couldn’t put anything on the tail end of a bill. What she didn’t understand was that as they dropped down, it lessened the amount of money we could get. For instance, we did get \$50,000 for the Benson’s property, but not the money for the land for the library. She was really upset about that. Selectman Jasper said it is complicated, but the money went into surplus instead of the fund. There is money in for this year. It was the year before we lost the money. (Talking over each other.) Selectman Seabury was glad she went to the meeting; she learned a lot of stuff. The library had written the warrant article correctly for \$125,000 for their house, but because the Selectmen blew it on their two warrant articles, the library lost their money. Mr. Sharon said that is because they were at the tail end. Selectman Seabury didn’t think that was right. She couldn’t believe it when she heard it. The Library Trustees asked her if there was a chance that Senator Francoeur could do something to get the \$108,000 back, since the Representatives couldn’t. Selectman Jasper said the problem is that it would still have to go back to the House. Selectman Seabury couldn’t understand why the Representatives would oppose it. Selectman Jasper didn’t understand it, either, but he will talk to David about it. He felt that, at this late date, it probably isn’t going to happen under any circumstances. Selectman Charbonneau said there is a trailer bill that they can put a lot of things on. Selectman Seabury said that’s exactly what she meant. If it hasn’t gone through, they may be able to tag it on. She said the other question is the Library Trustees have about \$50,000 in their budget and the fiscal year is coming to a close. She asked if they could transfer that extra funding into that account. Selectman Charbonneau said encumbered funds have to be spent for designated items. Selectman Jasper asked what they were going to spend the money on. Selectman Seabury said to purchase another house. Selectman Jasper thought it would take an act of the Legislature to do that. Mr. Sharon said DRA killed the bill. Selectman Jasper said if DRA killed it, then Sen. Francoeur wouldn’t be able to get it through the Senate, either.

**Terry Stewart** said she met most of the new people in Community Development. Glenn, the new Code Enforcement Officer, seems very energetic. So far, Lowell Road looks wonderful. Hopefully, there will be a lot of positive changes coming down the line.

**E. Lorraine Madison** said they had their first Benson's Committee meeting. Laurie Jasper did a great job on the article that was in the HLN.

12. **REMARKS BY THE SELECTMEN**

**Selectman Ann Seabury** asked if anyone was going to the Memorial Day parade. Selectman Charbonneau said she would see if she could get one of the cars going. Selectman Seabury said she won't be in Town for the Firefighter's service on June 10, so she hoped someone else could go. Chairman Madison hoped Selectmen Charbonneau would be able to attend and she should contact the Fire Chief about it. Selectman Charbonneau said she would.

**Selectman Rhona Charbonneau** said the voters didn't pass the budget in Litchfield. On Sunday mornings, she likes to watch the minister at the First Baptist Church in Hudson. A lot of elderly people belong to that congregation and it's nice that he has this program for them.

13. **NONPUBLIC SESSION**

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

Nonpublic Session was entered into at 10:25 p.m. and was terminated at 10:55 p.m.

*Motion by Selectman Jasper, seconded by Selectman Stewart, to hire the following Recreation Department help for the summer of 2001: Courtney Albert @ 7.50, Rachel Bailey @ 7.50, Jennifer Beike @ 7.00, Amy Blanchard @ 8.00, Sheri Dobens @ 8:00, Beth Faulkner @ 7.00, Frank Girginis @ 8.50, Kim Kipriotis @ 7.00, Christopher Linscott @ 7.50, Kim Malley @ 8.50, Alan Marcotte @ 7.00, Nancy McIntosh @ 7.50, Alaina Rines @ 7.00, Christine Shaw @ 7.50, Debra Smith @ 7.50, and Kristin Yates @ 7.00 carried unanimously.*

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to hire Matthew Solari as Patrol Officer, effective June 3, 2001 @ \$16.11 per hour, carried unanimously.*

*Motion by Selectman Charbonneau, seconded by Selectman Stewart, to hire Abbey Edwards as a Secretary in the Department of Community Development, effective June 3, 2001 at Grade 8, Step I at \$11.91 per hour in accordance with the Admin & Support contract.*

14. **ADJOURNMENT**

*Motion by Selectman Jasper, seconded by Selectman Charbonneau, to adjourn at 11:00 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