

**HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the April 10, 2001 Meeting**

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

1. **CALL TO ORDER** by Vice Chairman Shawn N. Jasper at 7:34 p.m.

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

3. **ATTENDANCE**

**Board of Selectmen:** Shawn N. Jasper, Rhona Charbonneau, Ann Seabury & Terry Stewart. (E. Lorraine Madison was absent.)

**Staff/Others:** Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Frank Carpentino, Fire Chief; Charlie Chalk, Fire Marshal; Sean T. Sullivan, Director of Community Development; Jim Michaud, Assessor; Terry McLlarky, SUC; Howard Dilworth, Jr, Budget Cmt; Sue, SUN; videotaped by Coleman Kelly

4. **PUBLIC INPUT**

Lucinda Miclette, 57 Tyler Street, 882-9210, re. issuance of vehicle bumper stickers and t-shirts inscribed with, "Speed Kills--Slow Down--Save Lives." The catalyst for this effort was an accident in Nashua where a speeding, drunk driver hit a 10-year old boy on his way to a ball park, breaking his leg and hip. The population in Nashua has doubled, and so have the speeders. The posted speed limit in Nashua is 30, but people don't obey it. Day and night, fire and police go out on calls, putting their lives on the line. Nashua has only one mobile trailer that registers motorists' speed, but it doesn't take a picture of the license plate. The Nashua Police Department is low on funds and they need updated equipment. She plans to speak to the Mayor about that and is the reason she started "Mothers Against Speeding," which she is going to get incorporated. She plans to speak to all of the police chiefs in the state and give them each a T-shirt, printed with the logo. She is also doing bumper stickers. Her goal is to get people to obey the law. If they exceed 30 mph, they will be arrested or heavily fined. Her car has been hit twice in the last year. She obeys the speed limit, but others, especially young people between 25 and 30, tailgate, which is dangerous. The speed limit protects the motorist and the pedestrian. At rush hour, people speed on their way to and from work. If she is doing 30 and they are ripping past her, they have to be doing at least 50 or 60. This has to stop.

She has been working on this project since Christmas and is angry at the speeders and the negligence. She was angry that the Pheasant Lane Mall let motorists park the parking lot so that ambulances and police cruisers could not get into or out. She was very upset that Governor Shaheen inappropriately got her secretary off the hook when she was picked up for DWI. President Bush's daughter's boyfriend was picked up for DWI and the President sent his Secret Service to Texas Christian University to get him off the hook. That was unwarranted and illegal.

She first approached Hollis Police Chief Richard Darling, who wrote a newspaper article dated March 30, 2001, telling drivers that a new speed crackdown will mean zero tolerance for drivers who are barely speeding. Beginning immediately, at least one police officer's sole responsibility will be speed enforcement. She is determined to visit every Chief of Police in the State to give them a T-shirt, in spite of her 100% disability and limited income. She has done procurement all her life, including raising money for the Home for Pregnant Teens on Concord Street. She is as stubborn a Norwegian today as when she was born 61 years ago. She has received a lot of calls from the press, but it's a matter of making time for them. She praised the Hudson and Nashua Police and Fire Departments.

She would like the Selectmen to talk to Chief Gendron about getting tough with speeders and DWI's. He needs the Selectmen's support to make this enforceable, and it requires monies. She thanked the Board for their time and hoped she conveyed her message adequately. If it's possible for Chief Darling to do what he did in Hollis, it is possible for the Hudson Chief of Police to assign one officer to concentrate on speeders and DWI. She has gotten a lot of support from Mothers Against Drunk Driving.

Vice Chairman Jasper asked if anyone else in the audience wished to address the Board. There was no response.

5. **CORRESPONDENCE**

A. From: David Yates, Recreation Department  
 Re: •\$50 Donation from Provincial Heights Neighborhood Association  
 •Deposit for use of Jette Field  
 Refer to: New Business

B. From: Richard Gendron, Chief of Police  
 Re: •Donation of K-9 Vest, valued at \$650, from Sea World, NH Working Dog Foundation & Massachusetts Vest-a-Dog  
 •Second-Hand Dealer/Pawnbroker Licenses  
 Refer to: New Business/Public Hearing/Licenses & Permits

C. From: Terry McLlarky, Sewer Utility Chairman  
 Re: Ordinance 01-02 Amending the Sewer Ordinance  
 Refer to: New Business/Public Hearing

D. From: Tom Sommers, Sewer Utility Consultant

Re: Request for Sewer Allocation  
 Refer to: New Business

E. From: Verizon  
 Re: Petitions & Licenses  
 Refer to: New Business

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

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

## 6. OLD BUSINESS

### Personnel Policies

At the last meeting, the Board discussed a procedure for keeping the Selectmen informed of job postings. Mr. Sharon included that requirement in the section entitled III C Recruitment & Hiring Process. It was amended as follows: #1 "The Board of Selectmen, Town Administrator and Finance Department will be notified immediately, *in writing*, of all position vacancies." #2 "Following approval by the Town Administrator, *in writing*, the hiring department is expected to formulate the job announcement, ads and in determining special applicant sources."

Mr. Sharon explained and the Board amended the following sections, as appropriate, as they went along.

- A. **V. D. Promotions** – Mr. Sharon said he added a section that states generally, and there could be exceptions, employees are expected to serve in their current position for at least a year before being considered for a promotion or transfer. The next section deals with temporary assignments. It is to allow department heads some latitude to make mid-course corrections and be able to move people temporarily into acting positions without having to wait for the next Board meeting. The department head could be free to do that, with the approval of the Town Administrator and all of it is subject to the review by the Board of Selectmen. In the next paragraph, it codifies what has been the practice in the instance where an employee is promoted into another position and reflects one of the collective bargaining agreements in that the promotion is to the next step above what the employee is currently making, but in no case is it less than 5%.
- B. **V. E. Demotions** – Mr. Sharon said this reflects in the opposite direction the language that he suggested for the Promotions section. No where in the current policy does it say that an employee who is demoted shall receive a reduction in pay. An employee cannot be demoted to a position where he or she is not qualified. The Board added, to the first paragraph, "Any such action is subject to review by the Board of Selectmen."
- C. **VII. F. Family & Medical Leave Act (revised)** – Mr. Sharon said this policy came before the Board once already. It has been amended to reflect the discussions by the Board, with the exception of the addition that says if an employee uses leave because of his/her own serious medical condition or the serious health condition of an immediate family member, the employee will first use all paid vacation, personal or sick leave, and then will be eligible for unpaid leave. The initial reaction is that it sounds heartless, but that is not the intention of FMLA. Many people keep the banked vacation to take another three weeks or whatever at the end of the medical leave time. Most FML policies are written this way.

Selectman Jasper said there was a recent US Supreme Court decision dealing with ADA and the Supreme Court found that States and its political subdivisions are not subject to the regulations of ADA. He wondered if this fell under the same set of circumstances, that when the Federal government passes something like this, they can't pass it on and maybe they should take out the reference to the FMLA. Mr. Sharon said the ADA is a lot different from FMLA, which the Town is subject to.

- D. **VII. G. Military Leave** – Mr. Sharon explained that this section is a lot more detailed than what the Town currently has. It provides for all of the instances they would be required to honor.
- E. **VII. H. Vacation Leave** – Mr. Sharon said this codifies what is already in place, with a few exceptions. In the case of an employee taking a leave of absence without pay, vacation benefits do not accrue. It also requires that if someone is on a vacation leave and becomes ill while on vacation, normally they would honor that as sick leave and not charge them vacation leave for that day. This would require verification, if it is felt that verification is necessary. He also felt it was necessary to include that in case of key individuals and his second in command of the department not be on vacation at the same time. Vice Chairman Jasper and Selectman Stewart wanted to change the wording to Town Administrator *and* Board of Selectmen instead of Town Administrator or Board of Selectmen, who felt the stronger wording was necessary to keep the Selectmen informed, but Selectmen Charbonneau and Seabury did not see the need to change the wording. They said Mr. Sharon could inform the Board and did not want to micro-manage.
- F. **VII. I. Sick Leave** – Mr. Sharon said quarantine is something they do need to cover, and that is included. If someone's household is quarantined, they would be able to grant sick leave to that employee. Another section is a repeat of the vacation provision that an employee who is sick while on vacation could charge the time to sick leave, with proper verification. He modernized what is currently in place relative to separation. It tightens it up. Vice Chairman Jasper asked to change the heading from Termination to Separation, which

Mr. Sharon agreed to.

- G. **VII. J. Education Leave and VII. K. Other Unpaid Leave** – Mr. Sharon said these two sections just reflect what they have had in place with no significant change.

*Motion by Selectman Seabury, seconded by Selectman Charbonneau, to adopt the presented policies, as amended, carried unanimously.*

Mr. Sharon said there are about five sections left and should be on the agenda for the first meeting in May.

7. **NEW BUSINESS**

- A. **\$50 Donation from Provincial Heights Neighborhood Association to the Recreation Department**

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to receive the donation, with thanks, carried unanimously.*

- B. **Deposit for use of Jette Field**

In a memo to the Board, Recreation Director David Yates said in November when the Rec Committee met with the Selectmen, there was a discussion about instituting a deposit for the use of Jette Field by private tournaments. The Recreation Committee was recommending a fee of \$100 per tournament. The Committee will draft a set of conditions. At the conclusion of the tournament, if all of the conditions are complied with, the deposit will be returned. If not, the deposit will be turned into the Town.

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to approve the \$100 deposit policy carried unanimously.*

- C. **Public Hearing/Board Action on Donation of K-9 Vest, valued at \$650, from Sea World, NH Working Dog Foundation & Massachusetts Vest-a-Dog**

Vice Chairman Jasper opened the Public Hearing at 8:05 p.m. and asked if anyone wished to speak. There was no response, so he closed the hearing.

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

- D. **Public Hearing/Board Action on Ordinance 01-02 Amending the Sewer Ordinance**

Vice Chairman Jasper opened the Public Hearing at 8:06 p.m. and asked if anyone wished to speak.

Terry McLlarky, Chairman of the Sewer Utility Committee, said they have been ignorant of an ordinance that says the Sewer Utility is to report within 21 days. They have not followed that in the four years he has been on the committee. They recently have been sending out the agenda items to the members a week in advance of the meeting so they can be prepared. They meet every second Thursday of the month, or every 28 to 35 days. If you add a seven-day set back to 35, you have 42. By adopting the 45 day standard, the members will be better prepared to discuss items, fewer items will be tabled for conditional review and they will be operating within ordinance. The impact to the customer is negligible.

There being no further speakers, Mr. Jasper closed the hearing at 8:09 p.m.

*Motion to adopt 01-02 by Selectman Stewart, seconded by Selectman Charbonneau, carried unanimously.*

- E. **Request for Sewer Allocation, Map 10, Lot 56, Sanmina Corporation.**

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

There were some concern about the diminishing available capacity and inflow and infiltration. Mr. McLlarky said he'd put that item on the Sewer Utility's agenda for Thursday night.

- F. **Assessing Department Items**

- 1) **Reval Issues**

Vice Chairman Jasper said there were two parts to this discussion, one which would continue later in Nonpublic. He then recognized Assessor Jim Michaud, who said regarding the current reval, approximately 20% of the residential, single family improved properties have been measured.

(Start Tape 1, Second Side)

Overall, it is going well, with very few complaints. They have four data collectors, two men and two women, and an on-site person who enters the data as they come into the office. The project supervisor comes in at least once a week. They are on the verge of their first mailing for this project. The revaluation project was budgeted contingent on certain things occurring as a result of the vote. As a result of extra personnel not passing, they have some decisions to make in terms of timing of the reval,

the items they want/don't want to do, what can be done in-house, etc. They have to look at monies that are available in the current budget and in next year's budget. He doesn't know what money will be left outside of his department that he can tap into. Patriot Properties, the current reval company, is doing a good job and has given the Town some rough written estimates of what it might take to complete the rest of the project, if they were to do it. He asked that this remain confidential. It is frustrating that they can't seem to add any staff to the department, which would be the least costly thing. They have the same staff levels as 21 years ago. He doesn't know how much longer that can go on. They are responsible by State statute to provide equitable evaluations, not to be open five days a week. If they go to court on a case with a value to defend, the judge doesn't care if they are open or not; they care about the assessment being correct. It's important to be open, but in terms of priority, accurate data is more important. The office staff cannot accomplish the existing maintenance. DRA is demanding certain things from communities. Hudson isn't a position to do all things for all people. The concerns are office staffing and how to get the reval accomplished by 2002.

Vice Chairman Jasper said they have to go forward, or else they will have wasted all of the money spent on collecting data. Mr. Michaud said he asked DRA if it would be fatal if the data that was collected in 2001 was not implemented until 2003. He was told no, that there was nothing in the existing administrative rules about that. Mr. Michaud asked Patriot Properties how long it takes to do a reval. They said they don't go over two years because the data gets old. They did Salem, MA in 18 months. The DRA said some towns do phasing at 25% a year and implement the results at the end. Additional money wasn't added into the budget or to contingency for this.

Selectman Stewart asked if there was any cross checking with other departments to make sure permits were pulled when additions were put on homes. Mr. Michaud said there is no provision for that. The reval collects data that is there. He wouldn't know if something was done without a permit, or if it was not built to code, unless it was researched. From an assessing or appraisal perspective, unless there is a flagrant code violation, it generally will not affect the market value of the property. He's not the code police, but it's public data and open for view. They'd never get into a property if they were instructed to do code enforcement.

- 2) **Yield Tax Warrant** (Map 023/Lot 017/Sublot 004, Etchstone Properties; Map 032/Lot 019, Richard Tate; Map 036/Lot 026, Susanne Hovling; Map 037/Lot 010 & 010-001, David & Pauline Robinson)

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

- 3) **Elderly Exemption** (Map 039/Lot 069/Sublot 06B, 17B Lenny Lane)

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

#### G. **Verizon Petitions & Licenses**

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to grant 925368, 925934, 944516, 925761, 925728, 944368, & 944017, as recommended by staff, with the exception of 944345, 944452 and 944732 which are in areas that have underground utility stipulations carried unanimously.*

#### H. **Purchase of Items not Budgeted**

Vice Chairman Jasper said this was relatively minor in nature, but a couple department heads have said the Board of Selectmen said if you got the money, you can go out and buy whatever you need. The Minutes were checked for those discussions, but not found. Capital items have been purchased that were not approved in the budget. He suggested that the purchase of any capital item, ie, an item with an expected life in excess of one year, which is not replacing an existing item, shall be approved by the Board of Selectmen at a public meeting. Selectman Stewart so moved, seconded by Selectman Charbonneau.

Mr. Sharon said he needed to put in a pitch for department heads to be able to manage their own operations. It's appropriate that they not be going out and purchasing something that truly is a capital item, but for things to have an anticipated life in excess of one year can involve some very minor things. They've got professional department heads, who need some latitude to be able to work within their adopted budgets. They certainly cannot predict with any certainty 15-18 months in advance of operating exactly what needs to be replaced. Mr. Jasper said this does not apply to replacement items. Mr. Sharon said if a department head found a need to have a scanner for some particular purpose, it is a small amount of money. That department head ought to be able to make that decision whether that is more important than something else that was anticipated when the budget was put together. Mr. Jasper understood, but the Budget Committee and Board of Selectmen go over it very carefully and the department heads come in with requests for the upcoming year. There isn't fat in the budget. Any time someone buys something that wasn't budgeted for, something that *was* budgeted for isn't bought. He didn't see where it would create a problem for a department head to wait for two weeks to come to the Board to make a request. It weakens the budget process if things that haven't been asked for or discussed suddenly shows up as being purchased.

Selectman Charbonneau asked if they should put a dollar limit on this, such as \$1,000. Mr. Sharon said that would be his suggestion, to establish a minimum cutoff amount. The department heads are restricted to staying within their overall operating budget and are free to move monies around as things come up during the course of the year. Selectman Stewart said they were not talking about replacement items; it pertained only to new, out-of-the-blue, sale-at-Home Depot items. Vice Chairman Jasper said he has a hard time believing

something could come up so quickly that they didn't know before hand that they might need it, that couldn't wait for two weeks.

Selectman Seabury disagreed, saying she can't forecast a year in advance what her house is going to need for replacement. Vice Chairman Jasper said anything that dies can be replaced. He was talking about the new, never-having-had-anything-like-it-before items. He's not saying they can't do it, he's just saying they should wait for the next Board meeting. Selectman Seabury asked what was bought that Mr. Jasper didn't like. Vice Chairman Jasper said there were several items, but he didn't want to get into specifics. It is intended to be a general policy decision. He never realized that this was even going on, and he's been doing Town budgets for 21 years. Mr. Sharon said departments have been running pretty smoothly, but things come on the market that were not available before. They're not talking about major items that cost \$50,000. Selectman Stewart disagreed with the Town Administrator. She thinks the Fire Department could have lived without their automatic car starters for two weeks and those have been on the market for 10 years.

Vice Chairman Jasper said if there were no objections, he would recognize Howard Dilworth, Jr., Chairman of the Budget Committee, who had his hand raised. There were none. Mr. Dilworth said this agenda item grew out of a discussion he had with Selectman Jasper about 1½ months ago. The Selectmen ought to have some kind of policy to deal with the purchase of items that are not budgeted. When the budget is put together, it is a policy statement by the Board of Selectmen and School Board as to what they feel is necessary to run the Town or School District for the ensuing year. Then the Budget Committee reviews it and makes recommendations on what they feel is appropriate or not appropriate. The strength of the process is that the public has faith and that the elected officials are doing the right thing. When this faith becomes weakened because there is an end run around the process, they wind up with default budgets. He asked Selectmen Seabury if she remembered when the Zoning Administrator came in on the last night and wanted to buy a large format copier that no one had ever even talked about. The Board, at that time, voted to approve the purchase. He also recalled a lot of computer equipment that the previous Finance Director, at the end of the year, went out and bought. That kind of thing does a lot to weaken the public's belief in the process. The Board needs to have something in place to deal with items that were not initially budgeted. If someone feels they have a need for something, and the Board happens to agree with them, they have a process in place to deal with that.

Selectman Charbonneau asked how much they were talking about. Selectman Jasper said any capital item. Selectman Charbonneau said a car starter isn't a capital item and they don't know the reason why they were purchased. She thinks they may be micro-managing and they should have more faith in their department heads. If the Board thinks they are spending money foolishly, then there is something wrong. Vice Chairman Jasper said he didn't want this discussion to degenerate into specific items because it's not about specific items. There were things that came to his attention some time ago, and after thinking about it, he thought they should have some policy in place. They *do* micro-manage when it comes to the budget. They micro-manage when it comes to supplies, postage, etc. and have everything down to the nickel. That's probably one of the most important parts of their jobs, aside from hiring quality people. They have to know what is being budgeted and what is being purchased. Selectman Charbonneau thought there should be a limit. Department heads can't always anticipate what is going to happen. She can go home today and find that her boiler has blown up. Vice Chairman Jasper said it's not about replacement existing items. It's new items that they don't have. If you've never had it before, you can certainly wait till the next Board meeting.

Vice Chairman Jasper recognized Chief Carpentino, who had his hand raised, cautioning him not to get into specifics. Chief Carpentino said they are accountable to the tax payers, who pay their wages to manage their departments. He thinks they do it in a fiscally sound manner. If they don't, the Board could call them on it, but he can't forecast everything they are going to need and the Fire Department has made some of those purchases. If the taxpayers knew the advantages, they would support those purchases. They have grown at such a rapid rate, they can't run their department on a two-week government operation. They pay the Town Administrator to manage the functions of the day. One of the items that was brought up had a letter that clearly explained the reasons for it. He never got one phone call on the items he asked for. They provide back up, so if there are issues, there should be questions asked at that time. If they have needs in the Fire Department, like they did a couple weeks ago when the boiler went through the process to get the approvals. To ask them to run a \$3-\$4 million budget by waiting two weeks is unreasonable.

Vice Chairman Jasper said if someone didn't have something for 100 years, how can it be such an emergency it can't wait for two weeks? He couldn't understand that. People are confusing replacement items with new purchases. He could state at least four examples, but he'd have to get into specifics. However, if the Chief could explain why something couldn't possibly wait two weeks for, he'll listen. Chief Carpentino said they just bought a copy machine for the Dispatch Center because they have work that has got to be done. It wasn't budgeted because before they had adequate people to do it and the call volume wasn't as high. Now, it is and there is no one in the station so they need a copy machine in the Dispatch Center. That has a life span of more than a year. He asked if he should let the work go undone or pay \$200 for a piece of equipment. Vice Chairman Jasper asked if that situation just happened in an instant. Chief Carpentino said no, they had discussed it, he put the paperwork in, but didn't get a phone call from anybody. There are five people that see the purchase orders and he didn't get a call from one of them, nor did he get a call from the Town Administrator or Finance Director. Out of seven people, no one called. Vice Chairman Jasper said the Board doesn't see all of the small PO's as they come in. They sign the payables after the items are bought. If Paul and Steve agreed with the purchase, there wouldn't be any flags raised with anyone. It's a surprise to him that these things are happening and things are getting bought that were not budgeted.

(Start Tape 2, Side A)

Chief Carpentino said things are not as they were 21 years ago. Vice Chairman Jasper said of course things have changed; he's seen them all in the last 21 years. In all of those years, he wasn't aware that this was going on. The five Selectmen are the only ones answerable to the voters. The department heads answer to the Board of Selectmen, but when the voters aren't happy, the Selectmen take the heat. He has been a student of Town Government for the past 21 years, and if he didn't know this was going on, probably nobody else did either. And he's not happy about it. Chief Carpentino said in his four years here, he has been told by the Budget Committee and members of the Board of Selectmen that if they need something that's not in their budget, and they don't go over the bottom line, they can buy it. That was loud and clear this year. Vice Chairman Jasper said that hasn't been found in searching the Minutes. Perhaps individuals have stated that. This discussion is what he didn't want things to degenerate into.

Selectman Seabury said they gave X amount of dollars to department heads for their budgets and they were to stay within their bottom line. Vice Chairman Jasper said when the budgets are submitted, it is with detailed backup. That is the budget process in place. Selectman Charbonneau said the taxpayers want them to watch their money, but they also want the departments to run smoothly and efficiently, and the average person on the street doesn't care about \$100 here and there. She has not seen or heard an uproar and everyone seems to be content with they way they are running things. She did not mind setting a limit, and suggested \$1,000. Vice Chairman Jasper said the motion would be amended to include any capital item in excess of \$1,000.

Motion by Selectman Stewart, Seconded by Selectman Charbonneau, that the purchase of any capital item in excess of \$1,000, ie, an item with an expected life in excess of one year, which is not replacing an existing item, shall be approved by the Board of Selectmen at a public meeting carried 3-1. Selectman Seabury was opposed.

#### **I. Legal Contract**

Vice Chairman Jasper said it is time to start now if they wish to go out to bid. He suggested doing so, as it has been two years.

Motion by Selectman Seabury, seconded by Selectman Stewart, to put the contract out to bid carried unanimously.

#### **J. Maintenance Services Contract**

Vice Chairman Jasper said it is time to start now if they wish to go out to bid. Mr. Sharon asked that he be directed to solicit some quotations from other agencies, rather than formally bid it out as they have had excellent results from the current contractor, who has not increased his price in three years. He recommended not going through the sealed bid process on this item because a case can be made for renewing the contract. Vice Chairman Jasper said it has been renewed a number of years in a row and, as with the legal bid, it's a good idea to see what's out there and available. Selectman Charbonneau agreed, but the Board was going to be shocked at how much higher other bidders are. Vice Chairman Jasper said that may be, but they should go through the process and he was having a hard time seeing why they shouldn't. Selectman Stewart said this should be treated like any other contractor. Selectman Charbonneau said that's how she feels, as well, but they will be unable to get anyone at a lower price because the County goes out to bid. Mr. Sharon said someone could undercut, just to get the bid. Selectman Charbonneau asked if the current contractor would increase his bid. Mr. Sharon didn't think so.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to put the contract out to bid failed by a vote of 2-2. Selectmen Stewart and Charbonneau were in favor; Selectmen Jasper and Seabury were opposed.

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to direct the Town Administrator to solicit proposals from other agencies on the maintenance service contract.

Selectman Stewart wanted to make sure the Town Administrator brings back the solicited proposals to the Board of Selectmen. Mr. Sharon said he would. Selectman Charbonneau said he'd do that automatically. Vice Chairman Jasper agreed, saying that was understood.

Vote: Motion carried unanimously.

### **8. OTHER BUSINESS**

#### **A. Amending the BOS May 2001 Meeting Schedule**

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to amend the BOS meeting schedule for the first meeting in May from Tuesday, May 8 to Monday, May 7 carried unanimously. (Chairman Madison and Selectmen Charbonneau will be out of Town on the 8<sup>th</sup>.)

#### **B. K of C Annual Tootsie Roll Drive**

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to grant the request by the Knights of Columbus to collect funds for their annual Tootsie Roll Drive on April 29, 29 & 30 at Wal-Mart and Market Basket, provided those businesses have given authorization to do so carried unanimously.

#### **C. Crosswalk Sign at St. John's**

Motion by Selectman Stewart, seconded by Selectman Seabury to refer Jordan Ulery's request for a crosswalk sign in front of St. John the Evangelist Church, on behalf of the Knights of Columbus, to the Highway Safety Committee carried unanimously.

Mr. Sharon said the Knights of Columbus felt that it is appropriate to add a crosswalk and they even offered to pay for it but, with any traffic control device, if its warranted, the Town will pay for it. He thought it should be referred to the Highway Safety Committee. Selectman Seabury asked if it would be a portable. Vice Chairman Jasper said a crosswalk would be painted on the street. Mr. Sharon thought there probably would be a portable sign, probably not needed Monday through Saturday.

**D. Benson's Committee Organizational Meeting**

Mr. Sharon said the tentative kickoff meeting for the Benson's Committee is Tuesday, May 15 at 3:00 p.m. His views this as an ad hoc committee of the Board of Selectmen. He would expect that one of the two Selectmen on the committee would preside. He suggested that the designee from the Department of Transportation be Nancy Mayville and from NRPC, Andrew Singelakis or Julie Cummings. As technical staff, they shouldn't be voting members. There has been questions raised about whether donations should be accepted and how they should be handled. If the Board wants to do that, he and Steve Malizia can set up a donation fund to sequester those dollars. Selectman Charbonneau said if that is done, the Town is going to have to keep a very good record. They don't want to have another Animal Shelter situation. Selectman Jasper said he'd rather not get into that at this point. Mr. Sharon said maybe they should just discourage all donations until the committee gets going. Selectman Charbonneau agreed.

Vice Chairman Jasper said he has heartburn over this tentative meeting in that Chairman Madison said she wanted new blood on the committee and he didn't know if the new person would be able to make an afternoon meeting. The very first meeting is set up at a time when, in all likelihood, that person won't be able to attend. The members of the committee were not polled as to time or date and he finds that highly unusual. He didn't know who picked the time and date, but it was not be the members of the committee that the Board appointed. Selectman Stewart said the representative from the Rec Committee wouldn't be able to make it because he teaches. Mr. Jasper didn't think it was appropriate to do it this way. He understands that they have professional staff coming in, but it is wrong to exclude people who work for a living from the first organizational meeting when they are talking about meeting schedules and all of that. The first meeting could exclude staff, especially if they are going to be non-voting members.

Mr. Sharon said it was Chairman Madison's suggestion that the meeting be that week and in the afternoon, particularly because of the press of other business as they are starting to get into summer and evenings are taken up. It would take them towards the end of May, or into June. Vice Chairman Jasper didn't see the hurry because they don't even own the land yet. Mr. Sharon suggested while they have to be concerned about maximizing committee members, they are a separate committee and should be setting their own schedule. Vice Chairman Jasper said this has been set by just one member of the committee. Normally, a telephone poll of all the members would be done to find out a convenient time. This is not a good start.

Selectman Charbonneau said they could write to each member to find out the best time for them to attend. There will always be one or two that can't make it. She thought it was important to find out a time that was convenient to the majority of the members. Vice Chairman Jasper asked what they were going to consider as a majority, if they were going to include the NRPC and NH DOT representatives as voting members. Selectman Charbonneau thought they should all express their feelings when they could attend. Mr. Sharon thought it was important to include NH DOT, particularly since they are going to fund some of the development, but the NHDOT and NRPC reps will make it whenever time is set by the committee. Selectman Charbonneau doubted they would attend every meeting. Vice Chairman Jasper said it's probably not important that they attend each meeting. Rather than writing to each member, he thought that Priscilla could contact them by phone to see if they can make afternoon meetings. If that was the intent, the Board should have told the applicants. Every other board and committee that he knows of, including the Selectmen, meets at night, so nobody would expect a 3:00 p.m. meeting. A majority should include the Town's five citizens. Mr. Sharon said the two Selectmen should be included too, especially the one that is going to preside. Vice Chairman Jasper didn't know where that came from either. Mr. Sharon said this is the Board's committee. Vice Chairman Jasper didn't have a problem with a Selectman presiding, but the Board should have decided that to begin with. Selectman Charbonneau said it shouldn't necessarily be a Selectman that presides. That should be a decision of the committee. Vice Chairman Jasper said he's never been on a committee where another body decided who was going to preside. It may very well turn out that way and it makes a great deal of sense to him, but it's wrong to go in with a presumption.

He asked if they were in agreement that the meeting tentatively set for May 15 will only take place if it is agreeable to the majority of the committee members, who will be polled, as opposed to just being notified. Selectman Charbonneau thought the Chairman did this just to get things moving.

**E. Lions Hall Repairs**

Selectman Stewart asked for an update on Lions Hall repairs. Vice Chairman Jasper said he saw purchase orders for toilets. Mr. Sharon said, in all due respect, it would be easier if Selectman Stewart asked him this during the week. Selectman Stewart said she just thought about it while driving to the meeting.

**F. Hudson Speedway**

Selectman Stewart asked for the status of Hudson Speedway. Mr. Sharon said the Speedway has been told by this Board that they can't open until they comply. Mr. Webber has been notified and if it takes the Police Department to stop the activities on Sunday, they are prepared to do that.

**G. Recycled Oil at the Highway Department**

Selectman Stewart said that through a grant, the DPW is now able to accept waste oil from residents. They can bring it to the Highway Garage Monday through Friday during business hours.

**9. LICENSES AND PERMITS**

**Second-Hand Dealer/Pawnbroker Licenses**

- A. B & T's Bargain Exchange
- B. Bargains Unlimited
- C. Cash Converters
- D. Tool Liquidation Center

*Motion by Selectman Stewart, seconded by Selectman Seabury, to grant the licenses (renewals), as recommended by the Chief of Police.*

Selectman Seabury asked what they were going to do about the trailers behind the Tool Liquidation Center. Sean Sullivan, Director of Community Development, said he talked to the owner of the property, as well as the tenant, as recently as last week and a site plan will be required if those trailers are to remain. The owner has 30 days to file a site plan with the Community Development Department for Planning Board action. Those trailers are not something that can be left there outright. He and the Fire Marshal have been working with the tenant and the landlord to clean up the area. Selectman Seabury asked if he found an apartment on the second floor. Mr. Sullivan said he didn't go that far into the structure, but it's obvious someone is probably living there. They are actively working with that site.

*Vote: Motion carried unanimously.*

**10. ACCEPTANCE OF MINUTES**

- A. BOS Meeting Minutes of March 20, 2001
- B. BOS Meeting Minutes of March 27, 2001

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

**11. COMMITTEE ANNOUNCEMENTS**

4/11 7:00 Planning Board in CDD Mtg. Rm.  
4/12 7:30 ZBA in CDD Mtg. Rm.  
4/12 7:00 SUC in BOS Mtg. Rm.  
4/16 7:30 Conservation Cmsn. In CDD Mtg. Rm.  
4/17 7:00 BOS & NH DOT in BOS Mtg. Rm.  
4/19 7:30 Budget Committee in CDD Mtg. Rm.  
4/24 7:30 BOS in BOS Mtg. Rm.

**12. REMARKS BY THE SELECTMEN**

Rhona Charbonneau said there was a comment in Thumbs last week that there aren't any Seniors on the Benson's committee and she wanted everyone to know that she happens to be a dues-paying Senior, so the Seniors do have representation. Appointments to the committee were very difficult for all of them. Regrettably, they couldn't appoint more people, but that count attend the meetings and give their input. Lorraine is a Senior, as well.

**13. NONPUBLIC SESSION**

*Motion by Selectman Seabury, seconded by Selectman Charbonneau, to enter Nonpublic Session under RSA 91-A:3 II (b) hiring of public employees: (e) pending claims or litigation and 91-A:5 IV carried 4-0 by roll call vote.*

Nonpublic Session was entered into at 9:20 p.m. and was terminated at 10:30 p.m.

*Motion by Selectman Seabury, seconded by Selectman Charbonneau, to seal the Minutes carried unanimously.*

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to hire Lisa Terwilliger as Tennis Instructor in the Recreation Department at \$10.50 per hour carried unanimously.*

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to hire David Yates as Teen Basketball Director in the Recreation Department for a fee of \$750 carried unanimously.*

*Motion by Selectman Charbonneau, seconded by Selectman Seabury, to hire Ann M. Sharpe as Administrative Assistant in the Community Development Department, effective April 29, 2001 at an annual salary of \$35,816 and then, after successful completion of probationary period, to \$36,890 in accordance with the Town of Hudson Police Fire, and Town Supervisors' Association carried unanimously.*

*Motion by Selectman Seabury, seconded by Selectman Charbonneau, to hire Glen Whalen as Code Enforcement Officer in the Community*



Development Department, effective April 29, 2001 at an annual salary of \$34,777 (\$16.72 per hour) At Grade 16, Step 1 and then, after successful completion of probationary period, to \$36,608 (\$17.60 per hour) in accordance with the Town of Hudson Administrative and Support Collective Bargaining Agreement carried unanimously.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to hire Raymond Gibson in the Community Development Department, effective April 29, 2001 at an annual salary of \$44,774 and then, after successful completion of probationary period, to \$46,087.22 in accordance with the Town of Hudson Police Fire, and Town Supervisors' Association carried unanimously.

Motion by Selectman Charbonneau, seconded by Selectman Seabury to hire Joseph Triolo as Fire Inspector in the Fire Department, effective May 13, 2001 starting at \$25,623.14 and to \$26,648.07 as of July 1, 2001 in accordance with the Local IAFF 3154 Union contract carried unanimously.

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to authorize the Assessor to close the office one day a week and, if that is not sufficient, the Assessing Office will be closed two days a week, after notice has been given to the public carried unanimously.

**14. ADJOURNMENT**

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to adjourn at 10:35 p.m. carried unanimously.

Recorded and 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**