

HUDSON BOARD OF SELECTMEN
Minutes of the January 2, 2001 Meeting

Nonpublic Session with Labor Relations Consultant, 7:05 – 7:30 p.m.

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 7:38 p.m.

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 2. **PLEDGE OF ALLEGIANCE**, led by Selectman Rhona Charbonneau.

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 3. **ATTENDANCE**

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

Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Frank Carpentino, Fire Chief; Matt St. Laurent, Assistant Fire Chief; Kevin Walsh; Chris Madden; Joseph Wozniak; John Bednar; Lenny Smith; Terry McLlarky; David Forman; Brad Seabury; Richard Maddox; Sarah, Derry News; Sue, SUN: Tom, TEL

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 4. **PUBLIC INPUT**

Chairman Madison asked if anyone wished to address the Board, adding that if anyone had any comments about the Post Office expansion, now was the time to speak because no one would be recognized later.

Howard Dilworth, Jr., 36-A Old Derry Road, spoke to the Board about the request to move the Town Meeting date from March to May. If this goes to the ballot and the voters pass it for the Town but not for the School, or vice versa, it would mean two elections, which would be costly and time-consuming. This would also greatly impact the Town Clerk's office, so she should be consulted before moving forward with a project of this magnitude. He cautioned people to look before they leap. He advocated periodic meetings between the Board of Selectmen and School Board to discuss items of mutual interest, such as this.

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Lenny Smith, 3 Leslie Street, addressed the Board about the Post Office's request to expand. He was in favor of keeping it where it currently is, but opposed increasing the footprint of the mall itself. He criticized urban sprawl.

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 5. **CORRESPONDENCE**

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to accept Items A-I, with appropriate referral, carried unanimously.

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- A. From: James Adams, US Post Office
 Re: Building Expansion
 Refer to: New Business
- B. From: Randy Bell, School Superintendent
 Re: Town/School Deliberative Session Dates
 Refer to: Old Business
- C. From: Kevin Walsh
 Re: Request to Change Annual Town Meeting from March to May
 Refer to: New Business
- D. From: Michael Gospodarek, Town Engineer
 Re: Road Reconstruction from Highland Ave. to MacDonald's
 Refer to: New Business
- E. From: Frank Carpentino, Fire Chief
 Re: Job Descriptions
 Acceptance of Donation
 Refer to: New Business
- F. From: David Yates, Recreation Director
 Re: \$300 Donation from Merrimack Valley Beekeepers
 Refer to: New Business

- G. From: E. Lorraine Madison, BOS Chairman
Re: Proposed BOS Meeting Schedule for 2001
Refer to: New Business
- H. From: Sewer Utility Committee
Re: Sewer Abatement Requests
Refer to: New Business
- I. From: Jim Michaud, Assessor
Re: Veterans Tax Credit Applications
Refer to: New Business

7. NOMINATIONS & APPOINTMENTS

Chairman Madison said there has been some confusion on whether or not applicants should appear before the Board, even for re-appointments. She thinks they should because things may change from when they were first appointed. Perhaps the Chairmen of the various boards could see to it that the members of their committees are present, or at the very least, inform the Selectmen of their recommendations. The Board does not have a procedure in place, so there is a lack of consistency. A great deal of time is spent by office personnel, contacting the applicants by phone and mail. Sometimes the applicants reply and sometimes they don't; sometimes they don't appear, even when they say they will; and sometimes they forget the date of the meeting altogether.

A. Building Board of Appeals (1 Member, Term to expire 12/31/03)

- Leonard Smith (incumbent)

Motion by Selectman Jasper, seconded by Selectman Stewart, to re-appoint Leonard Smith carried unanimously.

B. Cable Committee (2 Members, Terms to expire 12/31/03)

- Harry Schibanoff (incumbent)
- Michael O'Keefe (incumbent)

Motion by Selectman Jasper, seconded by Selectman Stewart, to re-appoint Harry Schibanoff and Michael O'Keefe carried unanimously.

C. Conservation Commission (2 Members, 1 Alternate, Terms to expire 12/31/03)

- David Bitler (incumbent)
- John Bilsky (incumbent)
- Donald Gowdy

Motion by Selectman Jasper, seconded by Selectman Stewart, to reappoint the two incumbent members, David Bitler and John Bilsky, and Donald Gowdy as alternate carried unanimously.

D. Planning Board (2 Members & 1 Alternate, Terms to expire 12/31/03)

- George Hall (incumbent)
- Richard Maddox (incumbent)
- David Forman, Alternate (incumbent)
- Leo Fauvel
- Arnel Catalan

Brad Seabury asked to be recognized. Chairman Madison asked for the will of the body, which granted him permission to do so. Mr. Seabury spoke at length, highly in favor of appointing Mr. Fauvel, who is also a member of the ZBA, to act as an information bridge between the two boards. Chairman Madison pointed out that there is another vacancy expected to be forthcoming on the Planning Board.

Motion by Selectman Jasper, seconded by Selectman Stewart, to reappoint the incumbent members, George Hall and Richard Maddox, carried unanimously.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to reappoint David Forman as alternate carried unanimously.

E. Recreation Committee (2 Members, Terms to expire 12/31/03)

- Ed Caban (incumbent)
- Michael Regan (incumbent)

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to reappoint the two members, Ed Caban and Michael Regan, carried unanimously.

F. Sewer Utility Committee (2 Members, Terms to expire 12/31/03)

- John Bednar (incumbent)
- Catherine Valley (incumbent)
- Donald Gowdy

Mr. Bednar was present and stated his desire to be reappointed to the committee.

Motion by Selectman Jasper, seconded by Selectman Stewart, to appoint Catherine Valley and Donald Gowdy to the committee carried unanimously.

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Chairman Madison thanked Mr. Bednar for his many years of service on the committee.

G. SWSCOM (2 Members, Terms to expire 12/31/02 and 12/31/03)

- Burton MacAllister
- Donald Gowdy

Motion by Selectman Jasper, seconded by Selectman Stewart, to appoint Burton MacAllister to the term that expires 12/31/03 and Donald Gowdy to the term that expires 12/31/02 carried unanimously.

H. Zoning Board of Adjustment (2 Members, Terms to expire 12/31/03; 2 Alternates, Terms to expire 12/31/02 and 12/31/03)

- Charles Brackett (incumbent)
- Bradford Seabury (incumbent)
- Richard Callahan (Current Alternate, applying for membership position)
- Kenneth Dickinson, Alternate (incumbent)
- Tammy McNulty

Motion by Selectman Jasper, seconded by Selectman Stewart, to reappoint Charles Brackett and Bradford Seabury as members, to reappoint Kenneth Dickinson as an alternate, and to appoint Tammy McNulty as an alternate, with a term expiration of 12/31/02 carried 4-0. Selectman Ann Seabury abstained.

8. OLD BUSINESS

A. Library Capital Reserve Fund

This article had not been considered by the Board of Selectmen and was inadvertently forwarded to the Budget Committee in error.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to not recommend this article and to not forward it for further consideration carried unanimously.

B. Deliberative Session for 2001 Town Meeting

The School Department requested that the Selectmen change the date of the Town's side of Town Meeting from February 10 to February 3. One of their members will not be able to make a meeting on the 3rd.

Motion by Selectman Jasper, seconded by Selectman Stewart, to change the Town's date for the deliberative session of Town Meeting from February 10 to February 3, 2001 carried unanimously.

9. NEW BUSINESS

A. Post Office Building Expansion

Chairman Madison recognized Chris Madden, a Real Estate Specialist for the U. S. Postal Service. The current Hudson facility is 2,300 square feet and the lease expires 10/31/01. They are looking for at least 4,000 square feet. The first option is to expand at the present facility, the second is to lease another building in Town, and the third is to lease a building built to their specs. He was before the Board to get their thoughts and to solicit comments from the residents.

Chairman Madison asked if they looked into leasing the area next to the Post Office. Someone said that area is leased year-round. Selectman Seabury said at one time, the Post Office operated out of the building at 102 and Highland Street and wondered if that could be a consideration. She asked if the Post Office ever purchased buildings. Mr. Madden said the policy with smaller facilities is to lease. Selectman Seabury felt that the Post Office should remain in the center of Town. The present location is good because people can walk to it and it's near the elderly housing complex. Another thought is to renovate the old highway garage. Chairman Madison said there was space available where Hogan's used to be.

Selectman Jasper didn't think it would be feasible to add on to the current property, but he'd like to see the Post Office stay in that building because it is convenient and near other stores that people frequent. The best option would be to expand at the present location. If they didn't remain in the mall, he recommended they stay within the compact area of the Town. Getting in and out of other places is problematic.

Chairman Madison suggested that the Post Office talk with their neighbors. The feeling of the Board was that they stay in the area, if at all possible. Mr. Madden said there is a 15-day waiting period from today to allow for any comments from the residents. Assuming that everyone is in agreement that they try to stay where they are and expand, that would be the gist of his letter. Then there is a 30-day comment period after that. The letter will be sent to the Selectmen and posted in the lobby of the Post Office. If it's anything other than that, he will come back to the Selectmen and advise them.

Chairman Madison invited those who were watching at home to comment to the Selectmen's Office and those responses would be forwarded to Mr. Madden.

(Start Tape 2, Side A)

B. Request to Change Town Meeting from March to May

Chairman Madison recognized Kevin Walsh, who authored the request and was present as a private citizen, not as a School Board representative. He thought moving the meeting date would maximize voter participation. He referenced the letter the Selectmen Chairman wrote to the Budget Committee, which stated, "beyond the obvious difficulty of developing a meaningful operating budget for a fiscal year that does not end for more than one and a half years in the future, it should be noted that we do not operate in a vacuum." This year's operating budgets and warrant articles are in excess of \$50 million. It would be beneficial to be able to have more time to construct the operating budgets for voter consideration. It gives more time to plan, prioritize and finalize the operating budgets. It also enables them to incorporate some of the critical components that are valuable in the budget planning process, such as the CIP. The revised law is a very straightforward process for constructing a warrant article to request the legislative body to act on that. The second Tuesday in April would present a conflict with school vacations. He talked about lack of voters at the polls.

Chairman Madison said the number of voters at the polls depends on what is on the ballot. In 2000, they were voting on a school, so that brought out the voters. In May, she is involved with Spring things, not politics. She spoke with Superintendent Bell who does not want to see it changed to May. Selectman Jasper agreed with Chairman Madison. He didn't think people would be as willing to give up their time in the spring months and cannot support moving Town Meeting dates, either. Selectman Charbonneau said the date didn't make any difference to her. Selectman Seabury said they lost a lot of people at Town Meeting after SB-2. People know they really can't do much at the deliberative session and by the time voting comes around, everyone knows how they are going to vote. She spoke with the Town Clerk today, who wasn't keen on the change. She is tremendously busy during that time because of registrations and tax deeding.

Chairman Madison said unless someone makes a motion that passes, she thinks the date will stay as is.

C. Road Reconstruction from Highland Avenue to McDonald's

Mr. Sharon said to add another lane has been a high priority for some time, both with the CIP and the TIP. They have a proposed agreement from the State that commits the State to pay 80% of the cost and for the Town to maintain the street, and it requires the Town to go back to the State before making any changes to the roadway. He recommended that the Board execute the agreement.

Motion by Selectman Seabury, seconded by Selectman Jasper, to execute the agreement carried unanimously.

D. Fire Department Job Descriptions

- Call Fire Fighter
- Dispatcher/Clerk
- Dispatcher
- Provisional Fire Fighter
- Honorary Fire Fighter

Chief Carpentino reviewed the minor changes to update the job descriptions to reflect current staffing, etc.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to approve the job descriptions carried 4-0. Selectman Jasper, a Call Fire Fighter, abstained.

E. Donation of Items valued at \$475 from the defunct Coffee Fund to the Town

(32" television, 19" television, Bunn coffee maker and assorted pots, toaster oven, two microwave ovens, a set of four folding tables, a set of assorted steak knives and a set of assorted pots and pans.)

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

F. \$300 Donation from Merrimack Valley Beekeepers to the Recreation Department

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

(Start Tape 2, Second Side)

G. Proposed BOS Meeting Schedule for 2001

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to approve the schedule, as presented by the Chairman, carried unanimously.

H. Sewer Abatement Request (S-UTL-01-16 76 Derry Road, #9, Soap Box, Acct. 2749. Customer was overcharged \$75.01.)

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

I. Assessing—Veterans Tax Credit Applications

(28 Chalifoux Road, Map 001, lot 001, Sublot 002; 19 Olde Coach Road, Map 008, lot 086; 133 Fox Hollow Drive, Map 013, Lot 012, Sublot 133; 3 Farmington Drive, Map 028, Lot 004, Sublot 015; 2 Riviera Road, Map 029, Lot 027, Sublot 104)

Motion by Selectman Jasper, seconded by Selectman Stewart, approve the Veterans Tax Credits and grant the abatements carried unanimously.

10. OTHER BUSINESS**A. Off-Street Parking on Birch Street/Lowell Road**

Selectman Stewart said there is a serious parking problem on Birch Street created by the snow. There was a car on fire tonight, but the fire truck could not make a right hand turn onto Birch Street. She was at the light on her way to this meeting and a car was parked under the "No Parking Here to Corner" sign and another car could not make a right hand turn. Selectman Jasper said

it's illegal to park in the roadway, so the police should be notified. Mr. Sharon said this would be on his agenda for tomorrow's staff meeting.

B. River Walk

Selectman Stewart said NRPC has been working on a river walk from Sagamore Bridge to the pump station. She hoped the Board of Selectmen would support it when it comes before them.

C. Forming a Benson's Committee

Selectman Charbonneau thought a committee was going to be formed. Mr. Sharon said the Board should decide the parameters of the committee. Selectman Charbonneau said if they keep asking for money for Benson's, people will start wondering why they aren't doing anything. She thinks a committee should be formed and asked that it be put on the January 23rd agenda.

D. Questions concerning Plowing Operations

Selectman Charbonneau said she noticed the sidewalks being plowed on 102, and another truck parked there, as well, and asked what that was about. Mr. Sharon said he's seen that, too, but didn't know the reason for it. The driver was out of the truck with a hand shovel and he seemed to be cleaning up. Chairman Madison saw the same thing on Central Street. She thinks it is a safety issue, in case something needed to be plowed back again. They should ask the Road Agent. Selectman Stewart said last night at 7:00 p.m., the Bobcat was cleaning the sidewalks on Central Street without the pickup. Selectman Jasper said he saw the same thing on Central Street. It didn't make any sense to him, but he's sure there is a reason and they shouldn't be jumping to conclusions.

E. Default Budget

Chairman Madison said there was a question as to warrant articles that appeared last year that could not be included in the default budget for this year. After many inquiries by various people, DRA has said those warrant articles can be included, a difference of \$294,527.

Motion by Selectman Jasper, seconded by Selectman Stewart, to rescind the previous action the Board took setting the default budget at \$19,198,312 and substitute in its place, the amount of \$19,492,839 carried unanimously.

F. Club Euphoria

Chairman Madison said the Chief of Police e-mailed her complimenting Club Euphoria. The Police Department and the Liquor Commission checked them out on Friday, Saturday and Sunday nights. The Liquor Commission said the club should be complimented on how they controlled the patrons and promptness in shutting down the club. She, therefore, complimented the club. Selectman Charbonneau said there were violations parking in the fire lanes. Chairman Madison said that was true, but the violations were by patrons and not the club.

G. Payables

Chairman Madison said Board members are not signing the payables in the Selectmen's Office in a timely manner. Selectman Jasper said it's their responsibility to get in to sign things, but if they don't, they should be called. Chairman Madison said if that happens, they should come right in.

H. Highway Department's new 10-Wheelers

Chairman Madison said she rode with the Highway Department during plowing operations to see how the new 10-wheelers are. She rode with Eric, who was personable and very capable. She came away from her experience with a whole new respect for the people in that department, especially those who plow. Not only do they do an excellent job, they are on the alert for children who might be playing in the snow. It can be dangerous because if children are making snow forts, and the snowplow comes around a corner, the wing plow could cover them with snow. She warned parents to be very watchful of their children and to keep them away from the sides of the road where the plows go by. It is very dangerous. They could be covered with snow, or be hit by the blade. During the time she rode with Eric, they came upon such an incident. As they rounded a corner, two children were tucked inside a snow bank. Eric said he saw them, adding that is something they look for because they see it all the time. Her hat is off to the Public Works personnel, who are doing a wonderful job plowing. The trucks are beautiful and they save the Town a lot of money. She thanked them for taking her along, adding that she helped operate the wing plow.

I. Ratification of Two Collective Bargaining (Union) Contracts

Motion by Selectman Stewart, seconded by Selectman Seabury, to ratify the Administrative and Support Services union contract carried unanimously.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to ratify the Department of Public Works union contract carried unanimously.

11. LICENSES AND PERMITS

A. Request for a Hawker-Peddler license by Michael Roy to operate a mobile food service wagon

Motion by Selectman Jasper, seconded by Selectman Seabury, to approve, with the stipulation that the applicable licenses will be renewed with copies submitted to the Selectmen's Office by the applicant prior to their expiration and failure to do so will render the license invalid carried 3-2. Selectmen Charbonneau and Stewart were opposed.

B. Request for a Hawker-Peddler license by Michael J. Spinelli to operate a hot dog mobile trailer

Motion by Selectman Stewart, seconded by Selectman Jasper, to approve, with the stipulation that the applicable licenses will be renewed with copies submitted to the Selectmen's Office by the applicant prior to their expiration and failure to do so will render the license invalid carried 4-1. Selectman Charbonneau was opposed.

12. ACCEPTANCE OF MINUTES

Minutes of the Selectmen's Meeting of December 12, 2000

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

13. COMMITTEE ANNOUNCEMENTS

01/03 7:00 Planning Board in P/Z Mtg. Rm.
01/04 7:30 Budget Cmt. in P/Z Mtg. Rm.
01/05 7:30 Budget Cmt. in P/Z Mtg. Rm.
01/08 7:00 Visioning Cmt. in P/Z Mtg. Rm.
01/08 6:30 School Board in BOS Mtg. Rm.
01/09 7:30 BOS in BOS Mtg. Rm.
01/10 7:00 Planning Board in P/Z Mtg. Rm.
01/15 Civil Rights Day—Town Hall Closed
01/18 7:30 Sewer Utility Cmt. in P/Z Mtg. Rm.

Dates relative to Town Meeting (Deliberative Session and Voting)

Jan 9 Last day to submit petitioned articles to BOS
Jan 24-Feb 2 Filing period for candidacy
Jan 29 Last day to post the Warrant/Budget
Feb 3 Town's Deliberative Session of Town Meeting
Feb 10 School's Deliberative Session of Town Meeting
Mar 13 Voting

14. REMARKS BY THE SELECTMEN

There were none.

15. ADJOURNMENT

Motion to adjourn at 9:20 p.m. by Selectman Stewart, seconded by Selectman Jasper, 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

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