

HUDSON, NH BOARD OF SELECTMEN

February 8, 2000 Meeting

1. **CALL TO ORDER** by Chairman E. Lorraine Madison

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; Matt St. Laurent, Assistant Fire Chief; Nominations & Appointments Candidates; Linda Lafortune, SUN

4. **PUBLIC INPUT**

Chairman Madison asked if anyone wished to talk to the Board about any issue. There was no response.

5. **CORRESPONDENCE**

A. From: Jim Michaud, Assessor

Re: Establishment of a Fee; Various Assessing Items

Refer to: New Business

B. From: Mike Gospodarek, Town Engineer

Re: Lowell Road Amendment; Street Acceptances

Refer to: New Business

C. From: Sewer Utility Committee

Re: Discontinuance of Sewer Easement

Refer to: New Business

D. From: Robert H. Weber, Jr., President, Bob Weber Racing

Re: Speedway License

Refer to: Licenses & Permits

E. From: Richard LaSalle

Re: Request to conduct Fundraising Activities

Refer to: Licenses and Permits

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

2. **NOMINATIONS AND APPOINTMENTS**

A. **Planning Board** (1 Alternate, term to expire 12/31/00; 1 Alternate, term to expire 12/31/02)

Mark Balba was unable to be present.

David Marc Forman owns a home on Watersedge Drive, has lived in Hudson about three years and was married this year. He's interested in serving on the Planning Board because he wants a more active role in the development and direction of the Town.

Terry McLlarky is still interested in serving on the Planning Board. He's lived in Hudson since 1962, except for a 9-year exodus to California. He doesn't want to see Hudson become Boston-North or Manchester-South and thinks the growth should be managed. He was a Senior Planner for a company in CA and is familiar with abstract design work, which he compared to the concept of town planning. (Mr. McLlarky also serves on the Sewer Utility Committee and is an Alternate on the Conservation Commission.)

Jeromy Muller (arrived late) said as an interested citizen, he is still interested in the Alternate's position. He has a Master's Degree in Communications and over 25 years experience in telecommunications. He'd like to use his abilities to assist the Planning Board.

Suellen Quinlan was unable to be present.

B. **Building Board of Appeals** (2 Members, terms to expire 12/31/01; 1 Member, term to expire 12/31/02)

No applications were submitted.

C. **Nashua Regional Planning Commission** (1 Alternate, term to expire 12/31/03)

No applications were submitted.

D. **Recreation Committee** (1 Alternate, term to expire 12/31/01)

Ed Caban, Jr., is still interested in serving on the Recreation Committee. He's been a resident for over four years. He's been involved with Hudson Youth Baseball, was Camp Director for the Cub Scouts and he's a member of the Umpires' Association.

Christopher Linscott withdrew his application at this time.

E. **Solid Waste Study Committee** (1 Member, term to expire 12/31/02)

No applications were submitted.

Chairman Madison announced that appointments would be made at their second meeting of the month, February 22.

2. **NEW BUSINESS**

A. **Assessing Items**

1) **Public Hearing/Board Action on Establishment of a Fee in the Assessing Department**

Chairman Madison opened the Public Hearing at 7:40 and asked if anyone wished to speak. There was no response, so she closed the hearing.

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to establish a \$7 fee for a computer diskette copy of the tax warrant and a \$25 fee for the paper version carried unanimously.

1. **Veteran's Tax Credit Application (Map 23, Lot 17, Sublot 37)**

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

2. **Elderly Exemption Application & Abatement (Map 49, Lot 74; Map 56, Lot 01)**

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

3. **Disabled Exemption (58 Mobile Drive)**

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

4. **Disabled Tax Deferral Application (Map 49, Lot 50)**

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

B. **Lowell Road Reconstruction, Amendment #6**

Chairman Madison said this was a contract amendment which provides for the professional engineering design services required to revise the roadway plan to reflect the design parameters approved by NHDOT Resource Agency Group meeting which was held November 10, 1999. Once an alignment is developed, the design will move ahead with profile and cross section development. The goal is to produce a plan, profile and cross sections to use for the planned Public Hearing. SEA will calculate the areas of right-of-way impacts and slope easements for use at the Public Hearing, update the construction cost estimate, and prepare Public Hearing exhibits and assist with the plan presentation.

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to approve the amount of \$28,500 as

recommended by the Town Engineer.

Selectman Seabury asked Town Administrator Paul Sharon if the other developer for the Friary property met with the Town Engineer regarding tying in their section of Lowell Road with the proposed construction. Mr. Sharon thinks they did, but they will have their own responsibilities beyond this improvement, including coordination. (Further remarks were too quiet to be picked up by the recorder.) Selectman Seabury thought that as long as the road widening was going to be taking place, things should tie in together because five more industrial buildings are going into that area and it would be good for that traffic to come out in a controlled manner while they are still in the process of reconstruction. Mr. Sharon said construction will be done in such a way that they will be able to extend it, but chances are, no matter how quickly they move, they won't be ready. Selectman Seabury said a pile of traffic will be pumping out onto that road. If they are aware of the construction, they might want to tie in now. Selectman Charbonneau said the new businesses going in there want to come out on Lowell Road because the other way is too indirect. She didn't think the Circumferential is going to be going in.

Vote: Motion carried unanimously.

A. Public Hearing on Requests for Street Acceptances

- 1. Bear Path Lane, Map 21, Lot 4**
- 2. Jump Lane, Map 21, Lot 4**
- 3. Paradise Lane, Map 6, Lot 42**

Chairman Madison opened the Public Hearing at 7:50 and asked if anyone wished to speak. There was no response, so she closed the hearing.

Motion by Selectman Stewart, seconded by Selectman Seabury, to accept the aforementioned as Town streets.

Selectman Jasper said it wasn't clearly spelled out in the paperwork that the streets meet all current Town standards. Mr. Sharon said staff has signed off on them. Selectman Jasper said another street came before them where the road was ok, but it didn't meet Town standards, so it needed to go to Town Meeting. Mr. Sharon said that's why Gambia Street is on the Warrant. In the future, a statement will be on the cover memo, stating that the street meets all of the current Town standards. They can presume that current Town standards are met on these, which is why Gambia Street was separated out. Selectman Jasper said they get into trouble by assumptions and asked Mr. Sharon to follow up on this tomorrow with the Town Engineer. Selectman Stewart said at the last meeting, she specifically asked the Road Agent about these streets because of the problems with another street in that development, and he said these were fine. Chairman Madison asked Selectman Jasper if he'd like to defer this until the next meeting. Selectman Jasper said he was comfortable on accepting these at this time, with the caveat that Paul follow up with the Town Engineer tomorrow. Mr. Sharon said he'd make sure the language is included in future memos and reiterated that Gambia Street was purposefully kept separate because it was substandard. Selectman Jasper said he is the one who caught the caveat when it came before them for acceptance and if he hadn't, it would have slipped through the cracks.

Vote: Motion carried unanimously.

D. Discontinuance of Sewer Easement, Kimball Heights, Lot 27-25-22

Chairman Madison said the Sewer Utility Consultant's memo stated that this easement was originally intended for a different sewer design which is no longer applicable and, therefore, the easement has no value to the Town for future sewer extension. This matter has also been reviewed by the Town Engineer and Sewer Utility Committee.

Motion by Selectman Jasper, seconded by Selectman Stewart, to discontinue the sewer easement on the subject property, as recommended by the Sewer Utility Committee.

Selectman Seabury asked if anyone knows why. Mr. Sharon said they don't need it any more.

Vote: Motion carried. Selectman Seabury did not vote.

2. OTHER BUSINESS

No one had anything to bring forward.

3. LICENSES AND PERMITS

A. Hudson Speedway

Chairman Madison asked for a motion to grant the license, subject to compliance with staff's recommendation. Selectman Stewart so moved, with a second by Selectman Jasper, who said that one of the Police Chief's stipulations was no racing while school is open and he wondered if the School's calendar was checked against the Speedway's calendar to see if there was any conflicts. The first race starting at 5:00 p.m. is June 18 and he didn't know what the last day of school is. Chairman Madison said it will depend on how many snow days there are. Selectman Jasper said if it's already after that date, they would know now. He is concerned about the enforcement issue because many times the races have gone past 10:45 p.m. He'd be more comfortable knowing what the scheduled day of school closure is and the first day of school in the Fall. The motion and second was withdrawn.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to defer this until 2/ 22/2000 carried.

Selectman Charbonneau asked how long the fee has been \$100. Mr. Sharon said quite awhile. Selectman Jasper said the fee is set by State law and not something the Selectmen have control over. Selectman Charbonneau thinks something should be done about raising it because it is a very inexpensive fee.

Vote: Motion carried unanimously.

B. Request for Fundraising Activities by the NH Royals

The NH Royals, a group of 12 girls under the age of 16, are softball players from Southern NH. Fundraising will take place at Market Basket and Wal-Mart on March 24 & 25 and April 21 & 22, 2000.

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

2. ACCEPTANCE OF MINUTES

A. Minutes of the Selectmen's Meeting of January 14, 2000

B. Minutes of the Selectmen's Meeting of January 27, 2000

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

2. COMMITTEE ANNOUNCEMENTS

2/9 7:00 Planning Board in the P/Z Meeting Room
 2/10 7:30 ZBA Meeting in the P/Z Meeting Room
 2/12 9:00 School District Meeting at Memorial School
 2/14 7:30 Conservation Commission in the P/Z Meeting Room
 2/16 NRPC Legislative Forum @ Anheuser-Busch in Merrimack
 2/17 NHMA Regional Dinner at Silo's Steakhouse in Merrimack
 2/21 Presidents' Day Holiday--Town Hall closed
 2/22 7:00 Trustees of the Trust Funds
 2/22 7:00 Public Hearing on Sewer Moratorium
 2/22 7:30 Board of Selectmen's Meeting in BOS Meeting Room

3. REMARKS BY THE SELECTMEN

Selectman Jasper reiterated some remarks he made at the last meeting, made more timely by the story in Today's Telegraph regarding Lowell Road. The article, and others, made it appear that he had misspoken by saying that the Representative of the School Board changed their vote, which was initially what he had said. He had corrected that with the reporter prior to the vote being taken, but that was not reported. In fact, the question was asked of the School Board Representative when the vote was taken, (when the School Board Representative voted no), if that was the official position of the School Board. Quite clearly, the Representative of the School Board said yes, it was, and that the School Board had taken positions on all of the Selectmen's warrant articles. He subsequently spoke with three other members of the School Board, all of whom said that was not the case. Luckily, the Budget Committee--including the School Board

Representative--changed their vote on Lowell Road to a positive recommendation to go forward with the Lowell Road project, which he certainly thinks is a good thing.

He also mentioned the close vote on the Operating Budget article by the Budget Committee, which was very disappointing. When the discussion began, a Budget Committee member said the Selectmen had everything put back in on the floor of Town Meeting, but that was not the case. If the Budget Committee had *not* recommended the article, it would have automatically reverted to the default budget. When he pointed that out, a Budget Committee member commented, "Oh, well." It's interesting to note how the Budget Committee treated the Town budget versus the School District's. The Town went in with a budget which had a tax impact of about 26¢. The Budget Committee set a goal of a zero increase for the Town budget and eventually got it to about 18¢. At Town Meeting, they argued for hours over about 8¢. The Selectmen presented a reasonable, well thought out budget, with minimal tax impact. On the other hand, the Budget Committee had no problem with the School's budget, and a tax impact of over \$2.25 and didn't make attempts to cut the School budget like they did the Town's. He questioned the Budget Committee's motives in dealing with this year's budgets. He hopes everyone shows up at the School District meeting.

Chairman Madison said, regarding what happened Saturday, that's why they have Town Meeting. The majority of the people there wanted certain items put back in the budget. When you have a committee that is supposed to be there at the will of the people, and are supposed to cast their vote according to what the people want, she was disappointed in how some of them voted.

4. NONPUBLIC SESSION

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to enter Nonpublic Session under RSA 91-A:3 II (b) The Hiring of any Person as a Public Employee, (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such a person requests an open meeting; and (d) real estate issues.

Selectman Jasper mentioned there were two agreements that didn't seem to fall under those stipulations and asked if they were going to be discussed. Mr. Sharon said they would be discussed in nonpublic session. Selectman Jasper asked how they fall under nonpublic. Mr. Sharon said because there was some concern expressed in conversations he had with the Chief and with him (Selectman Jasper). They are in final format, if the Board chooses to adopt them. Selectman Jasper said he was comfortable with the documents and sees no reason why they need to be confidential as they do not affect any individuals within the employ of the Town and they should be discussed in open session.

Vote: Selectmen Jasper, Seabury, Stewart and Madison voted no; Selectman Charbonneau voted yes. Nonpublic Session was not entered into. Selectman Charbonneau said they should go over the draft in Nonpublic Session prior to making any commitments. This was a document they just got this evening and they haven't had a chance to review it. Chairman Madison said that in the future, it would be nice to know some of the reasons before they vote.

Hiring Agreements for Call Firefighters and Full-Time Firefighters

Chairman Madison wanted this deferred because they just got it and she didn't want to read it now. Selectman Jasper suggested a 15-minute recess. He thinks they should deal with the agreements tonight, rather than delay them because there are some deadlines coming up.

Recess -- Chairman Madison called a recess at 8:10 p.m. and gavelled the meeting back to order at 8:20 p.m.

Chairman Madison recognized Assistant Fire Chief Matt St. Laurent and questioned the pay-back clause, which was not in the agreement. Selectman Jasper pointed out that prorating was on the 2nd page. Mr. St. Laurent said that's the reason the draft went back to the attorneys for the third time, to include the buy-out clause. Mr. Sharon pointed out some typos. Assistant Chief St. Laurent said that training costs for six call firefighters is around \$21,300 which includes a per-person cost of \$1,500 for gear, \$200 for insurance, \$500 for classes, \$350 for physicals and \$1,000 for salaries.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to accept the agreements, with corrections, carried 4-0. Selectman Jasper, a Call Firefighter, abstained.

Motion by Selectman Jasper, seconded by Selectman Stewart, to enter Nonpublic Session under RSA 91-A:3 II (b) The Hiring of any Person as a Public Employee, (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such a person requests an open meeting; and (d) real estate issues carried 5-0 by roll call vote.

Nonpublic Session was entered into at 8:25 p.m. and was terminated at 8:50 p.m.

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

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to hire Tim Chabot as a full-time Dispatcher, Union position, with a base starting salary of \$21,287.49 effective February 20, 2000 carried 5-0.

5. ADJOURNMENT

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to adjourn at 8:53 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