

HUDSON BOARD OF SELECTMEN

Minutes of the October 26, 1999 Meeting

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 7:30 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 was absent).

Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Steve Malizia, Finance Director; Frank Carpentino, Fire Chief; David Yates, Recreation Director; Gary Rogers, Deputy Fire Chief; Howard Dilworth; John Drabinowicz; Coleman Kelly; Terry Wiggin, School Dept; Fidele, HLN; Tim, SUN

4. **PUBLIC INPUT**

A. **Jim O'Brien, 186 Highland Street – Impact to Pop Warner by expansion of Memorial School** Mr. O'Brien said he was speaking as a resident and as a representative of Hudson Pop Warner. If Memorial goes forward with expansion plans, it will impact Hudson Pop Warner, who may have to cancel their season or look at other alternatives. It has become apparent to the Hudson Solutions Group that field space is critical. They have addressed a myriad of issues: How many athletic fields can go in next to an elementary school? Is it a right mix? Should Pop Warner deal with an elementary school? Should they go private? Should they team up with private organizations? Do they work with the Recreation Department? If everyone works together, maybe they can come up with a solution. He said the Recreation Department's 1988 Master Plan was a little outdated for today's needs and wanted to present to the Town a conceptual drawing of a layout of fields that would meet the requirements of public, private and recreation in one location. Chairman Madison asked Recreation Director David Yates to come forward and accept the conceptual drawing, which he did. Selectman Seabury said now they just have to find the land.

B. **Peter Horne, Property Manager for Friary Property, 161 Lowell Road** said he was following up on two letters he sent to Paul Sharon on September 20th, in which he asked for who, what, when, where, how and how much concerning three subjects: widening of Lowell Road, the sewer moratorium and the intersection at Executive Drive. He left copies of those letters with Priscilla Boisvert. Chairman Madison asked if there had been any reply. Mr. Sharon said he talked with Peter in the office today and had told him there had been some discussion with the Sewer Utility Consultant about some of the issues. The tone of the letters were of the "Have you stopped beating your wife?" sort. The signalization at Executive Drive should be ready before Thanksgiving. A letter was done this afternoon in response to Mr. Horne's concern with the sewer moratorium. Mr. Horne apologized for the tone of his letters that had been intended to get answers.

Selectman Charbonneau asked why this person had to wait so long for an answer, saying that a letter should have gone out a long time ago. Paul said he was waiting for some of the answers from Tom Sommers and, as the Board may or may not have known, he had to go out of state for awhile. Selectman Charbonneau said Mr. Horne should have been notified and told that it was being worked on, instead of just letting it lie there for a month. When a constituent comes in and asks for answers, they should get them. If the answers have to be gotten from somewhere else, that should be told to the person asking. They should be kept informed in the process.

C. **Howard Dilworth, Jr., 36-A Old Derry Road** said the Assistant Superintendent of Schools, Terry Wiggin, was present to ask the Selectmen to release \$90,000 in impact fees. It was announced at the School Board meeting last night that a letter had been sent to the Board two weeks ago, but it wasn't on the agenda, which was disappointing. Chairman Madison said this was coming up under New Business.

1. **CORRESPONDENCE RECEIVED**

A. From: David Yates, Recreation Director

Re: Acceptance of Donation

Refer to: New Business

B. From: Fidele Bernasconi, HLN

Re: Request for Waiver of Fee at Lion's Hall

Refer to: New Business

C. From: Sewer Utility Committee

Re: Abatement Application Requests

Refer to: New Business

D. From: Jim Michaud, Assessor

Re: Assessing Items

Refer to: New Business

E. From: Frank Carpentino, Fire Chief

Re: Various

Refer to: New Business

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

1. **OLD BUSINESS**

A. **TV-13**

Chairman Madison stated that Gordon Jackson and Carolyn Choate had withdrawn.

B. **Employee Termination Policy**

Chairman Madison said she didn't agree with what was in the policy and, therefore, wouldn't be voting for it. Regarding COBRA eligibility, she said Federal law states that the employee has 60 days to decide whether or not he wants to take it. Even after he leaves, he can still sign up if he's within that 60-day window, and he also has to make the back payments. Mr. Sharon said the paragraph only says an arrangement shall be made for the employee to speak with the Personnel Department, (Finance Department), to handle all of those things, as this is more than just an exit interview policy. It lays out the basic guidelines for an employee's separation. Regarding legal deductions under termination pay, Chairman Madison hoped that these would be pro-rated upon the date of separation. Mr. Sharon said they would have to be. Regarding Town Property not being returned to the Town, it says it could result in the delay of the final check. She questioned that, saying she didn't think an employee's paycheck can be withheld. Mr. Sharon said they could, for possession of Town property. He said it was worded sufficiently to be able to recover Town property.

Continuing, Chairman Madison didn't think it was necessary for a member of the Board of Selectmen to sit in on the exit interviews, that it should be handled by the Human Resources Department or the Town Administrator. Selectman Jasper said we don't have a Human Resources Department. Chairman Madison said no, but we do have Steve Malizia, who has been handling Personnel.

Motion by Selectman Jasper, seconded by Selectman Seabury, to adopt the Employee Termination Policy.

Selectman Charbonneau asked if this has gone to the Attorney for review. Mr. Sharon said he can do that, but is 99.99% certain it will pass muster. He's already reviewed it with department heads. Selectman Charbonneau said whenever they have a policy like this, especially a termination policy, it should be run by the Attorney to make sure all of the wording is right. Selectman Jasper thought that was a good idea, but it shouldn't stop them from adopting it. If the Attorney has any recommendations, it can come back to the Selectmen. He didn't think the policy contained anything so onerous it would cause them any immediate problems. He didn't think, other than the actual individuals that do the interviewing, the policy doesn't contain anything that is substantially different, if at all, than what current practice is. Mr. Sharon said not much difference, other than updating COBRA, accesses to the computer system, and that sort of thing. Selectman Jasper said they should approve it to get it in place and then send it to the Attorney. Regarding involving the Selectmen, he thinks it is important for them to get first-hand experience in hearing what some of the employee's concerns are. They should become involved with the process to understand it. They shouldn't be putting anything additional on Steve, as he already has enough responsibilities at this time.

Vote: Motion carried 3-1. (Selectman Madison voted in opposition.)

1. **NEW BUSINESS**

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to change the Order of the Day and take up the request by the Superintendent of Schools to release Impact Fees carried unanimously.

Chairman Madison said that she had told the Business Administrator that he would be on the agenda this evening, but it wasn't included as it should have been. She said the Superintendent of Schools was asking for the release of \$90,000 from the school impact fee fund for the purpose of a design of a 550 student school with full capacity of 800 and renovations and possible expansion of the Memorial School.

Mr. Wiggin said the School Board wanted to go back and look at what it would take to bring Memorial School to be a modern middle school. Between that and a new school, they are looking at \$19.6 million. They are looking to provide greater information to the voters and to expedite the process, should the voters approve this in March. They are functioning under a default budget. Perhaps there should have been a warrant article in last year's budget for design fees. They feel a lot of good work has been done by the Hudson Solutions Committee. He hoped the Planning Board and the Selectmen would approve their request to release the school impact fees.

Selectman Charbonneau didn't think they should take the \$90,000 from the Impact Fee Fund, which is to be used to build schools, not for design work. The School Department should have put that into a warrant article last year for that purpose. She thinks they can find the money somewhere else and she will not vote for this.

Selectman Jasper agreed with Selectman Charbonneau. When something like that hasn't gone before the voters, and no plans were approved, this was a potential waste of \$90,000 impact fees. The money would be spent and the voters may not approve the plan. If it was an approved plan, he wouldn't have a problem. The money should go toward something that is definitely going to happen.

Chairman Madison said Town Planner Mike Reynolds has spoken with Bruce Mayberry, (the consultant who wrote the process for the existing public schools, 1-8, and public library impact fees system design), who said that the funds could be expended for the requested purpose, because they both address capacity issues. Selectman Jasper agreed, saying that they could be, and he didn't have an issue with that.

Selectman Seabury said she was in favor of the request. Memorial is dreadfully overcrowded; there is no space. The Town doesn't have a great deal on their plate this year and she thinks it's the year for the schools. There are no contracts or outstanding building projects. They should be putting some time and effort into the school system. Chairman Madison agreed, saying they are asking for the \$90,000 because they don't have it in their budget in order to do the work. It's difficult to ask for a new school and an additional \$90,000 for something that may not pass, and then money for renovations, as well. She understands Selectman Charbonneau's point, but Bruce Mayberry has stated that the requested use meets the criteria for the funds. They should all be working together to help out the schools this year.

Selectman Jasper didn't want to debate the merits of the plan. He agrees that the schools are overcrowded and they need a new building, but he didn't believe this was a proper use of the \$90,000. He agrees they could legally do it, but doesn't think they ought to. Selectman Charbonneau wasn't opposed to a new school or renovations, but felt they were putting the cart before the horse. They don't know what the voters will do in March. It will be easier this year because they don't need 2/3rds for bond funding. She worked very hard on these impact fees many years ago. She was not against schools because she felt the Town desperately needs them.

Motion by Selectman Seabury, seconded by Selectman Madison, to approve the \$90,000 failed by a tie vote. Selectmen Seabury and Madison voted in favor; Selectmen Charbonneau and Jasper voted in opposition.

A. Statewide Education Taxation Issue

Finance Director Steve Malizia said he and Terry went up to DRA last Thursday for the purpose of setting the tax rate, but given the latest Supreme Court decision about the phase in portion of the statewide property tax, they are in limbo. DRA will not certify a statewide property tax; they will certify the town, the county and the local portion of the school, but not the statewide. They are faced with two choices. One is to issue a bill that would have the town, county and local school piece, or wait two weeks to see if the Legislature can come to some sort of solution. If they do the first option, they may have to send out two tax bills. He is concerned that would confuse taxpayers and add cost and burden to the staff.

Selectman Jasper said the only way they could be impacted, since they have already collected the full \$660 for the year. Steve said they collected only half of it in the first half of the year; they used the full rate, but collected only half.

Selectman Charbonneau asked about our cash flow. Steve said the Town is in a strong position, with \$7-\$9 million in the bank, so they can afford to wait.

(Start Tape 1, Second Side)

Selectman Jasper said his concern was the interest they lose versus the cost of sending out a supplemental bill. Steve said if they send it out now, they will have a negative school rate because, with that \$660 which they billed for the statewide piece, plus the

local piece, they've gotten more money in than they would have normally. Right now, they just have the local school rate.

Selectman Charbonneau said they should wait. Otherwise, it will be too confusing to the taxpayer if they send out one bill now and another one two, three weeks later. Steve said they are all going to be a lot busier if they have to send out two bills, plus the offices will all get lots of phone calls. Every other city and town in the state is in the same dilemma. He didn't know if Hudson wanted to be the first out of the gate to try something risky. They attempted to do the right thing for the taxpayer in the first half of the year, but they may be doing them a disservice if they don't wait a couple of weeks to see what happens. Regarding the county tax, which is probably the singular biggest check they write all year, he is confident monies are there to meet that obligation.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to delay sending the tax bills for at least two weeks, and that they take this matter up at the next regular meeting, carried unanimously.

B. Acceptance of a \$500 Donation to the Recreation Department by Flash Photo Sports

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

C. Request for Waiver of Fee at Lion's Hall by Fidele Bernasconi for Santa's Visit on 11/26/99

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

D. Request for Waiver of Fee at Lion's Hall by the Lion Club

Gary Rodgers, President of the Lions Club, said they had a blood drive about six months ago, which is run opposite the Police Department's, and in conjunction with the American Legion. They hoped the Town would waive the fee in order for them to hold another blood drive for needy people.

Selectman Seabury moved to approve the request, seconded by Selectman Jasper, carried unanimously.

E. Sewer Utility Abatements, Ref #S-2000-3

The Sewer Utility Committee has recommended granting the following abatements:

- SUTL0006 Town of Hudson, Delta Properties, 9 Industrial Drive, #4763, \$109.66
- SCAP0002 Larry and Gary Reidy, 7B Rangers Drive, #4334, \$581.13

Motion by Selectman Charbonneau, seconded by Selectman Seabury to grant the abatements, as recommended by the Sewer Utility Committee, carried 3-1. Selectman Jasper voted in opposition.

Selectman Jasper referred to the Delta Properties item and said they need to revisit the issues of lots with asbestos getting abatements, in light of what the Town, themselves, are doing. It wasn't consistent for the Town to purchase property with asbestos to build a library, then grant others with asbestos an abatement. Maybe they should reconsider the whole issue of asbestos. Chairman Madison asked Selectman Jasper if he wanted to rescind the motion. Selectman Jasper said no. The Chairman asked what he wanted to do because she didn't understand what he was saying. Selectman Seabury said the Town is giving abatements on asbestos-loaded property, but the Town is buying an asbestos-filled property, with the intention to build on it. Therefore, the Town must feel that asbestos-filled property has some value and should be taxed. Chairman Madison thanked her for the explanation.

Selectman Charbonneau recalled that this issue was discussed at the Sewer Utility Meeting and deferred to committee member, Howard Dilworth, to provide an explanation. Mr. Dilworth said this is a parcel of land in Clement Industrial Park and it has been before the committee in the past. This request was for betterment fees that have not been paid. This works like taxes; if they are not paid, the property gets liened and after some amount of time, the Tax Collector executes a tax deed and takes the property for the Town, unless the Selectmen notifies her not to take the property. Four or five years ago, the Board abated property taxes because of the asbestos. However, in parallel with this is the issue of sewer betterment fees that have not been paid. The betterment fees are for the Industrial Park to be sewered. Most of the people up there have paid, but this parcel hasn't. The Committee has been reluctant to recommend forgiving the entire betterment fee because it's about \$50,000 and they don't really know how much asbestos is on the property. They had hoped that the Selectmen would look into determining just how much asbestos is there so that a decision could be made on whether or not the Town should deed the property. It might be feasible for the Town to take the property, clean up the site through the use of a Brownsfield grant, which are now available, and turn around and sell it to recoup whatever monies the Town hasn't been able to collect in property taxes and/or sewer betterment fees.

Selectman Jasper said they have several properties like this in Town, and they continue to abate the taxes and sewer fees. At some point, the people will eventually own the property cost free. Property becomes more valuable as they go along. Asbestos can be removed or abated. At some point, because they own the property, and it will become cost-free, it becomes beneficial to them to abate the asbestos. The Town has abated the taxes, so the Selectmen have no mechanism to collect any of the back taxes or fees and

they've given the value to the owners at the expense of the rest of the taxpayers in Hudson. They have to look at this issue. The Town knows that there is a lot of asbestos up behind the library, but the decision has been that it's not all that expensive to do something else with it. That may be the case in other situations. To keep on abating property with asbestos may be a mistake.

Selectman Charbonneau rescinded her previous motion to grant an abatement to SUTL0006 Delta Properties, seconded by Selectman Jasper, carried unanimously.

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to deny the abatement.

Selectman Seabury asked if that means they have to collect the \$50,000 fee. Selectman Jasper said it just means that it will be liened. At this point, it's just a lien; it's taxes that you take it for. There is no automatic taking for sewer liens. They would lien it and it would remain in place. Mr. Dilworth said regarding sewer rents, they are treated exactly as property taxes are. He believes the lien has been there for a considerable period of time and the Tax Collector is at the point of an impending tax deed. If the Board denies the abatement, they may be setting in motion to deed the property.

Chairman Madison thought this should be deferred, while someone looks into it. She doesn't want to end up with something they are going to be sorry for. Selectman Charbonneau withdrew her motion and Selectman Jasper withdrew his second.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to defer 9 Industrial Drive, pending more information relative to the status of the lien, carried unanimously

Motion by Selectman Charbonneau to approve the abatement for 7b Rangers Drive, seconded by Selectman Jasper, carried unanimously.

F. Assessing Items

1. **Elderly Exemption/Veterans Tax Credit Application** (Map 24, Lot 25, Sublot 71)

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

2. **Veterans Tax Credit Application** (Map 29, Lot 48, Sublot 45)

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

A. Various Items by Fire Chief Carpentino

Chairman Madison asked for a motion to approve loaning prospective Hudson firefighter candidates, Call firefighters, protective gear during Town-sponsored training. Chief Carpentino asked that the motion include that the candidates sign an agreement. Mr. Sharon thought the Chief could prepare an agreement they could sign, but Chief Carpentino thought it should be stated in the motion, to tie it together. Selectman Jasper thought they should discuss all of the items before voting on just one part.

Chief Carpentino said on September 15, he sent a 2-page letter to the Town Administrator relative to Call firefighters, which talked about a number of different things, including Call firefighter staffing. There are currently 16 members on the Call force, which is eight less than in 1996 when they got the MRI report. Three left to go to Nashua to become full-time firefighters and others have gone to other Call forces. The Chief recommended that they sign an agreement, which he will draft, saying they are going to either become a member of the department or they will be charged a fee. Otherwise, the Town would be providing them with the necessary equipment to go someplace else. It will cost \$1,200-\$1,500 in gear alone for them to borrow it.

Chairman Madison didn't think they should be loaning equipment to the entire state; she thought it was strictly for people interested in being a Hudson Call firefighter. Chief Carpentino said they hire people from other towns, not just from Hudson. Chairman Madison assumed that if Hudson was going to loan them the equipment, they were going to become a member of the Hudson Call force. Selectman Seabury thought it was simple--when they take the course, they get the gear and then return the gear when they're finished.

Chief Carpentino said right now, the Town doesn't pay provisional firefighters. They come in, get a probationary manual and train, but do not get paid for that. Chairman Madison asked what the difference was between a Call firefighter and a provisional firefighter. Chief Carpentino said a provisional firefighter is someone who is trying to be a Call firefighter. At one time, they were spending up to 12 months to train somebody, but that has been cut down

to about four months. The more aggressive candidates do it in less time. He suggested paying them at a rate equivalent to that of a Call dispatcher, which is \$7.50 an hour during training and after they are certified, it would increase to \$10 an hour. People want to get rewarded for the time they spend and they want to get a return on their investment as soon as possible. That's why they went to a quarterly payment versus semi-annual payment for the Call firefighters.

There is a policy in place that when someone comes on the Call force, they are certified Level 1, which means they possess the basic abilities to do the job. The state has changed their system and has gone to a Level 1A and 1B and a Level 2 system. The new Level 1-A-1 system is 212 hours of training, which is more than the Level 1 Career system before. Chief Carpentino said he has a problem with Hudson becoming a training ground for people, whether it is full or part time. He proposed that if someone wants to come on board, they pay up front the money for the class and enter into a two year agreement with them. At the end of the first year, if they met the requirement, give them back 50% of their tuition fee. At the end of the 2nd year, if they met the requirement, give them the other 50%. The Town will have someone for two years and they get their money back over those two years. The class is \$600 (down from \$1,200) for Level 1A & B; Firefighter Two is about \$500.

Continuing, Chief Carpentino said you can't have a split department with two different groups of people, paying everything on one side of the fence and not paying everything on the other side. There is a contract for one part of the body and not for the other, and there are limits to the work environment that get impacted by this. Part of this issue is the paramedic program. The Town pays 50% for a full-time member to go to paramedic school, but they never get 50%. Right now, he has five paramedics, with the potential of losing four to other communities. The Town pays 50% of their tuition, but no compensation and nor coverage of overtime costs or anything else. That's an issue that's got to be taken into consideration. Chairman Madison thought that was governed by the contract. Chief Carpentino said it's not required, but the Town is actually increasing its revenue based on the services they provide. He's got the education, but the Town is collecting the revenue off of it. Selectman Jasper said it's not a requirement. Chief Carpentino talked about the agreement that a new police officer has to sign when he comes to work for Hudson.

(Start Tape 2, Side A)

Chairman Madison said he was covering a lot of issues and it was difficult to keep up with him.

Chief Carpentino said whatever the Board decides to do with any of the aforementioned issues, he hoped to have some kind of legal agreement with the people so everyone understands everything up front and there's no dispute down the road, whether it's the gear, the pay, the training, or whatever. It costs about \$4,200 to take somebody off the street to bring them into the Call force to get them up to Level 1, including paying them an hourly rate, gear, training, tuition. They would keep the gear during training and use it if they came on. It takes 212 hours for Level 1A & B. At 12 hours a week, that's about 18 weeks, then two months to do a provisional manual, so it's about six months for a person to be ready to respond to a call. And that's if a person completes a class and doesn't get injured. Some come on the job and find they don't like it.

Chairman Madison said they should take the issues one at a time, addressing the gear first. Selectman Jasper said he appreciates what the Chief is doing, and that it is long overdue, but what he has to say covers more than just the gear. From his perspective as a Call firefighter, if they take someone from another Town, they will be using Hudson only for a stepping stone, so he didn't think they ought to have people coming in as Call firefighters unless they are Town residents. That eliminates a lot of the money the Town invests. The Town needs to pay perspective Call firefighters so they will be covered by Workers Comp--that was the issue of the gear—but they don't need to pay them the \$7.25. They should be paid only minimum wage. If they're really interested in being a Call firefighter, they're not going to care what the dispatchers are making. If they want to build up the Call force, and there is the risk that people are still going to use Hudson, it's unreasonable to expect them to pay \$600 out-of-pocket. Years ago, training was done in-house, so he didn't have that expense, but if he or Howard or John Wilcox had been asked to come up with that kind of money, they wouldn't have been able to. He didn't get his State certification for Level 1 until 1989. In order to get Call firefighters, the Town ought to pay the up front cost, and then deduct it from their hourly rate.

Chairman Madison said if they have to sign an agreement when they are through with the course, they won't skip over to some other community. Selectman Jasper said the Call force is essentially disseminated right now. There were seven active people at Robinson Road station at the beginning of the year, and now there are three that are pretty active and a couple somewhat active. He would like to see them paid minimum wage while training, to be covered by Workers Comp because of liability issues. Litchfield has primarily a Call force and their demographics aren't substantially different than Hudson's, and they are paying for the course. He doesn't know if they're paying

an hourly rate, though, and they are given gear and equipment. He didn't know if they have to sign an agreement or not. Chief Carpentino said that was like comparing a cherry to a watermelon. Hudson has a full-time department and Litchfield is all volunteer, which is an entirely different program.

Chairman Madison suggested someone put this in the form of a motion and then it should be forwarded to the attorneys for a legal opinion. She recognized someone in the audience who had his hand raised. Todd Luzzey, 13 Cathedral Lane, asked what the difference was between a Call firefighter and a volunteer. Selectman Jasper said Hudson doesn't have volunteers. Volunteers receive no pay and that's a dwindling thing around the country because of liability issues. Call firefighters are those who wear a pager and go to calls and receive hourly rate when answering a call. Mr. Luzzy said he's lived here 15 years and has never seen an ad asking for residents interested in being a Call firefighter. He didn't know Hudson was that type of community. Chief Carpentino said they just ran an ad about three weeks ago in the local newspaper and received no input. The numbers are declining nationally on Call forces, but it isn't because of the pay. It's mostly because of time considerations, with people working two and three jobs to support their families; husbands and wives both working different jobs and care-taking their children. Some departments even offer child care for Call and volunteer firefighters. A lot of issues go into why the numbers are dwindling.

Selectman Jasper isn't confident they can rebuild the Call force to where it needs to be, but they need to do something, such as pay the up-front cost. Everyone's finances are different, but you're generally going to get younger people, most likely, single, and most of whom don't have an extra \$500 or \$600. Generally people who are on Call forces are not the more affluent types. Chairman Madison agreed it is a lot of money, and didn't have a problem with the Town paying it up front, but she wants to make they will be able to recoup it. Selectman Jasper agreed, saying that's why it's important to have it in writing, that the amount paid for the course will be subtracted from their hourly rate.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, that prospective Call firefighters be hired as provisional firefighters, that they be provided with gear necessary for the class, (which is still property of the Town), and that it be returned to the Town when they no longer have use of it for Town purposes, that the Town pay the up-front cost of the course, that they be paid at a rate of minimum wage, that they enter into an agreement with the Town that states they shall stay with the Town for a minimum of two years, that the cost of the course be deducted from their wages, that the Town is to recover ALL costs, and that this be forwarded to the Attorney for a legal opinion carried 3-0. Selectman Jasper abstained.

Selectman Charbonneau asked for a copy of the Police Department's reimbursement policy.

8. OTHER BUSINESS

Chairman Madison said Hudson has received first place (by NHMA) for the Annual Report.

9. LICENSES AND PERMITS

Hawker/Peddler Permit Request by Boy Scout Troop #21 to sell Christmas Trees and other related Items

Motion by Selectman Seabury, seconded by Selectman Jasper, to grant the permit carried unanimously.

10. ACCEPTANCE OF MINUTES

Minutes of the BOS Meeting of October 12, 1999

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

11. COMMITTEE ANNOUNCEMENTS

10/27 7:00 Planning Board in P/Z Mtg. Rm.

10/27 7:00 Visioning Committee in BOS Mtg. Rm.

10/28 7:30 ZBA in P/Z Mtg. Rm.

10/28 7:30 Land Preservation Committee at Robinson Road Fire Station

11/03 7:00 Planning Board Workshop in P/Z Mtg. Rm.

11/05 7:00 BOS Mtg. to review Budgets in BOS Mtg. Rm.

11/06 9:00 BOS Mtg. to review Budgets in BOS Mtg. Rm.

11/09 7:30 BOS Mtg. in BOS Mtg. Rm.

12. LIAISON REPORTS

Selectman Jasper visited the new Highway Garage, and it's coming along very nice. Unfortunately, they won't be able to get in before winter. They haven't been able to get anyone in to build a salt shed, so rather than try to do it hurriedly, they will wait and do things the right way. The steel is on the roof and the block work is done. The Highway Department has done a tremendous job in moving a lot of material with tiny little trucks. Selectman Seabury thinks the Town will have a problem with the ledge abutment on Clement Road, the escarpment that comes out from the Smith property. She didn't think a school bus and truck can pass each other there.

Selectman Charbonneau said she visited the Clerk's Office and it looks very nice. She was in to talk to Steve and will make an appointment to see Frank soon.

13. REMARKS BY THE SELECTMEN

Selectman Jasper said what's sauce for the goose is sauce for the gander. He doesn't make even \$4,000 a year working for the Fire Department, but the Chairman has asked him to abstain on issues, which he does faithfully. He thinks the same should apply for the people who work for the school district and earns a lot more than he does. Selectman Seabury said she was pretty close to that \$4,000; Chairman Madison doesn't earn any money for the school district. Hudson School District, Litchfield School District and SAU 27 are three separate entities, with separate policies and benefits.

Selectman Jasper said he's talked with two of the Legislators about the default budget, how it came about and what they can do to fix it. It appears they are relying on what the Municipal Association has said, and not a ruling from DRA. Unless somebody takes you to court and proves that it is wrong, it is right. Paul said DRA said they couldn't disagree with Bernie Waugh. Selectman Jasper wasn't suggesting anything tonight, but he intends to do some research on his own. However, this may be a case where there is so much at stake that they may be better off to say this think this is proper and what was intended and, if they were to lose their budget, let someone challenge it next year. Nothing ventured, nothing gained. He didn't want to see them put themselves in a situation where they are potentially \$211,000 short because somebody gave an opinion.

Selectman Charbonneau said Mr. Jasper picked up some Benson memorabilia to put in storage. She has two posters that she plans to have framed. If she doesn't do something with them, they will disintegrate. She plans to go to see Nancy next week to find out where they are with this whole thing.

Selectman Charbonneau said that on Thursday, there is a meeting on the state's 10-year plan. It's time to attend and say enough is enough. We've waiting long enough. They are going ahead and putting in the access road to the Manchester Airport without a report from DIS. In the 80's, it was \$90 million; now it's going to be \$130-\$150 million and all they're doing is spending money in engineering; no asphalt has been laid yet. It's time Hudson speaks up. There is \$170 million that has come into the State and Nashua is getting everything and Hudson isn't getting anything. It's important to get the Circumferential in. She plans to attend Thursday night.

(Start Tape 2, Second Side)

Selectman Seabury felt that it was important for the Board to show some support to the schools. They are in a pretty desperate situation and are losing good teachers because of the overcrowding. The stress level is becoming explosive. Five more sixth graders came in today. Selectman Jasper said he served all summer on the committee and hopes when all is said and done they can come to some agreement to get a new school approved this year. Selectman Charbonneau said they do need a new school, but the \$19 million doesn't include the staffing or furnishing. She didn't think they should put \$90,000 into something they don't know is going to pass. If the school really wanted to, they can find the money. She thinks they have a lot of pork in their barrel.

14. NONPUBLIC SESSION

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to enter Nonpublic Session under RSA 91-A:3 II (a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted; and (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting carried 3-1 by roll call vote. (Selectman Jasper voted in opposition.)

Nonpublic Session was entered into at 8:55 p.m. and was terminated at 10:05 p.m.

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

Chairman Madison announced that no votes were taken in Nonpublic Session.

15. ADJOURNMENT

Motion to adjourn at 10:10 by Selectman Seabury, 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