

**HUDSON BOARD OF SELECTMEN****Minutes of the August 17, 1999 Meeting**

1. The meeting was called to order by Chairman E. Lorraine Madison at 3:39 p.m. in the Selectmen's Meeting Room at Town Hall, Hudson, NH.

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

Staff/Others Present: Priscilla Boisvert, Executive Assistant; Steve Malizia, Finance Director; Mike Gospodarek, Town Engineer; Tom Sommers, Sewer Utility Consultant; Atty. Larry Kelly and Atty. Heather Burns; John Bednar, Sewer Utility Committee Chairman and Howard Dilworth (at 4:10), Sewer Utility Member.

2. The Board of Selectmen entered into Attorney-Client session, pursuant to 91-A:2 I (c) Consultation with Legal Counsel at 3:40 p.m.

### 3. Other Business

#### A. Sewer Capacity Issues – 90-Day Moratorium

*Motion by Selectman Jasper, seconded by Selectman Charbonneau, that pursuant to the Town's Sewer Ordinance, Chapter 270, Section 270-9 (c) to place a 90-day moratorium on the issuance of sewer permits for the reasons outlined in the within "Notice of 90-Day Sewer Permit Moratorium," – NOTICE OF 90-DAY SEWER PERMIT MORATORIUM – Hudson is a party to a Wastewater Treatment Agreement (hereinafter "the Agreement") with Nashua, which was entered into in December of 1978. The Agreement permits an average daily flow for Hudson of 2.0 mgd. At present, the Town is at an average daily flow of 1.36 mgd. However, based upon future development which is either under construction, permitted or in the review process, and known but not yet applied for, the Town anticipates that will be at an average daily flow of 1.69 mgd. Once the Town is at an average daily flow of 1.69 mgd, coupled with concerns with infiltration into the system, the Town will be precariously close to, if not at, the 2.0 mgd limit pursuant to its Agreement with Nashua. Consultants to the Town are further reviewing this matter, and require a 90-day window in order to provide the Town with a report outlining the full nature and scope of this matter. This is a matter of critical importance to the Town of Hudson. If the Town were to exceed the 2.0 mgd pursuant to the Agreement with Nashua, it would be subject to fees and penalties. Thus, the Town is in a position where it will likely need to deal with allocation of this scarce resource, to wit, allocation of sewer permits. Therefore, the Board of Selectmen, pursuant to its authority as contained in the Town's Sewer Ordinance, Chapter 270, §270-9 (c) to enter into agreements on behalf of the Town which permit the future sewer connections onto the system, hereby places a 90-day moratorium on the issuance of sewer permits except as set forth below: 1) Any person with a site plan which has been formally accepted by the Planning Board as of the date of this Notice shall not be affected by the within Moratorium; 2) No new industrial discharge applications or modifications will be accepted as of the date of this Notice except for: a) those that meet the requirements of paragraph 1 above; and b) those which have been mandated for hookup to date; 3) Any subdivision which has received facilities plan approval as of the date of this Notice (8/17/99) shall not be subject to the within Moratorium, carried unanimously.*

#### B. Education Funding

*Motion by Selectman Jasper, seconded by Selectman Stewart, to forward the letter Fidele Beransconi gave to the Board of Selectmen on 8/10/99 concerning education funding that he asked be forwarded to the Presidential candidates carried unanimously.*

**1. Adjournment**

*Motion to adjourn at 4:45 p.m. by Selectman Jasper, seconded by Selectman Charbonneau, carried unanimously.*

Recorded and transcribed by Priscilla Boisvert

Executive Assistant to the Board of Selectmen

**HUDSON BOARD OF SELECTMEN**

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E. Lorraine Madison

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Rhona Charbonneau

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Terry Stewart