HUDSON BOARD OF SELECTMEN

Minutes of the February 9, 1999 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

<u>Staff/Others</u>: Paul D. Sharon, Town Administrator, Priscilla Boisvert, Executive Assistant; Richard Gendron, Chief of Police; Frank Carpentino, Fire Chief; Mike Reynolds, Town Planner; Jim Michaud, Assessor; David Yates, Recreation Director; Explorer Post #320; Police Lt. Don McCrady; Officer Greg Katsohis; Fire Lt. Dave Morin; George Hall and Lenny Smith, Planning Board; Coleman Kelly; Howard Dilworth; Josh Trudell, TEL

4. PUBLIC INPUT

Leigh Komornick of NRPC re TIP. NRPC is soliciting a list of projects from the various towns relative to their transportation needs. Hudson has used up its allocation and is in the hole by over \$1 million. The Town is still encouraged, however, to submit projects to stake their claim. The Board may substitute projects. Lenny Smith is concerned about the concept of being in the hole when the Circumferential will pour significant traffic onto the roadways in this region, which wasn't taken into account when the money was apportioned. She said there is something to be said for secondary impacts of the Circumferential Highway and what the fair share may be.

Selectman Charbonneau asked if the Town could apply for a grant to take care of the County Road/Lowell Road intersection. Mike Reynolds said it didn't qualify for an ISTEA application, but he'll see if it might qualify as a TIP project. He distributed a handout, listing three projects for the TIP: 1) Executive Drive Intersection; 2) Route 3A/Executive Drive to Pelham Road; 3) Route 3A/Pelham Road intersection.

Selectman Jasper wondered if it was feasible for Executive Drive to be on the list since they already have a commitment for the funding. Chairman Madison asked Mike to come up with a substitute project and the Board can discuss this at their February 23rd meeting.

Suzanne Marchand, 16 St. Anthony Drive said because the Town Warrant wasn't clear, she mistakenly thought the zoning articles were going to be discussed at the deliberative session of Town Meeting on February 6, and was disappointed to find out at the meeting that the debate started with Article 12 instead, especially since she had prepared written testimony on Article 5. She alsocriticized the untimeliness and content of the Planning Board postings and minutes. (She presented the Chairman with her written statement.)

(Start Tape 1, Second Side)

In addition, she expressed frustration in her efforts to obtain/access information from the Planning/Zoning Department relative to the zoning amendment regarding towers, and her appeal. She felt that proper avenues are not being taken with regard to documentation. Chairman Madison pointed out that the Zoning Administrator was not present to respond. Ms. Marchand said she wasn't looking for answers, but was wanted to bring this matter to the Board's attention. She has a real estate background and is not blind to Town politics, coming from the town of Tyngsboro three years ago. She said it is frustrating to be passed from department to department when she calls Town Hall, or when she doesn't get a response within a reasonable amount of time. She has retained an attorney regarding her appeal for the issue that is coming up on February 18. She also expressed dismay over what she felt were inaccuracies in the Planning and

Zoning Minutes.

Selectman Jasper said a number of good points have been raised. He thought the issue of the Minutes, which had been a concern in the past, had been rectified, adding that the Planning and Zoning boards like verbatim Minutes. Selectman Seabury said they aren't verbatim, that the Town Attorney advised that less is better. Selectman Jasper said, by law, all that needs to be recorded in the Minutes are motions and votes, and they have to be available within 72 hours. Selectman Seabury said minor Minutes are available the next day and her detailed Minutes are submitted later. Ms. Marchand said she comes in to Town Hall frequently, and staff knows she is one of the appealers, and they should know by now what she is looking for when she asks for the Minutes of a particular meeting. She said the Minutes of a certain meeting don't exist or don't contain certain information that she and 20 of her neighbors and other concerned people attended. She also didn't know there were two sets of Minutes and wondered why she wasn't presented with the second set.

Chairman Madison said Selectman Seabury does an immediate set of short minutes that are available immediately and then she submits the longer, verbatim Minutes at a later date. Selectman Seabury said the tapes are also available, adding that she does verbatim Minutes only if requested, and it's usually requested by an outside party. Chairman Madison said, pursuant to the RSA's, the Town does not have to do the zoning articles at Town Meeting. Selectman Jasper said if you didn't know that, you wouldn't be able to tell from the Warrant. He said future Town Reports should contain a statement explaining that. Chairman Madison said they would look into all of the issues raised by Ms. Marchand.

5. CORRESPONDENCE RECEIVED

A. FROM: Richard Gendron, Chief of Police

RE: Acceptance of a Donation; Award of Cruiser Bids

REFER TO: New Business

B. FROM: Bell Atlantic

RE: Telephone Pole Petition and License

REFER TO: New Business

C. FROM: Sewer Utility Committee

RE: Sewer Connection Waiver Requests; Sewer Acceptances

REFER TO: New Business

D. FROM: David Yates, Recreation Director

RE: Acceptance of Donation

REFER TO: New Business

E. FROM: Jim Michaud, Assessor

RE: Various Assessing Items

REFER TO: New Business

F. FROM: Lt. Dave Morin, Hudson Fire Department

RE: Firefighters' Memorial

REFER TO: New Business

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

6. NOMINATIONS & APPOINTMENTS

A. <u>Building Board of Appeals</u> (3 Members; 1 term to expire 12/31/99 and two terms to expire 12/31/01)

Donald Dion

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to appoint Don Dion to the Building Board of Appeals, with a term to expire 12/31/01 carried unanimously.

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

Elizabeth Rallis has three children and volunteers at Nottingham. They have all been involved with the Rec Center, which has a lot to offer and she wants to be involved. She has lived here 10 years.

David E. Getchell recently retired from Polaroid Corp and moved to Hudson because he has grandchildren here. He wants to help out in the community wherever he can. He also signed up for Cable and the Solid Waste Study Committee.

Edward W. Caban, Jr. has lived in Hudson three years and would like to become involved in the Rec Center. He has been involved in Scouting, is Assistant Cub Master for Pack 21, went to National Camp School and two years ago, he was Camp Director for over 300 boys. He is also Triple A Director for Hudson Youth Baseball.

C. Solid Waste Study Committee (1 Member, term to expire 12/31/01)

David E. Getchell (Interviewed under Rec Committee)

7. OLD BUSINESS (There wasn't any.)

8. NEW BUSINESS

A. Public Hearing on Warrant Article 40, Establishment of Land Use Change Tax Fund

Chairman Madison opened the Public Hearing at 8:24 p.m. and asked if anyone wished to speak.

<u>Lenny Smith, 3 Leslie Street</u>, thinks it is an excellent idea to give the money to the Conservation Commission. He favors preserving green space all the way to the Canadian border to prevent urban sprawl. He would like the land preserved so New Hampshire will stay the way they all know and love.

(Start Tape 2, Side A)

There being no further comment, Chairman Madison closed the public hearing at 8:25 p.m. There were no comments by the Selectmen.

B. Public Hearing/Acceptance of a Donation from Wal-Mart to Police Department

Chairman Madison opened the Public Hearing at 8:25 p.m. and recognized Chief Gendron, who said they received a letter from Wal-Mart, who they've been working closely with since they opened up the neighborhood office in their store, saying they wanted to donate a \$1,000 to the Explorers, to give something back to the community. Steve, the Manager at Wal-Mart, made the presentation to members of Explorers Post #320. Officer Greg Katsohis, who works out of the Wal-Mart sub-station on second shift, was also present.

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

C. Hudson Firefighters' Memorial

Chairman Madison recognized Lt. Dave Morin, who said the Fire Department is proposing to build a firefighters' memorial, 19½' by 6' high, made from granite. They want to do it once, and do it right. With him was Dave Cote from Hudson Memorial, in case anyone had any technical questions regarding the monument. Bill Oleksak is doing the artwork. The monument will have three flags, with possibly two more and will represent all of the firefighters in Town, past and present, with special recognition to the firefighter who died in the line of duty. The labor will be done by the firefighters who plan to raise money by selling 1,000 commemorative bricks at \$50 each, made by Hudson Monument. The American Legion has donated a bench. The estimated cost is \$15,000 - \$20,000.

Lt. Morin hopes they can use a parcel of Town-owned land as the monument is too large to erect at the fire station. They are considering the Hills House site and are awaiting a response from the School Board. Other site considerations are on the hill at the corner of Lowell Road and Central Street, across from Hetzer's; Kimball Hill at Central Street where the big gray house used to be; behind the cemetery toward Cahill's near Hamilton Street; Lowell at Central near the big blue house.

Selectman Jasper asked how much land is needed for the depth, to the front edge of the brick walkway. Lt. Morin said it depends on how the walkway is laid out. Selectman Jasper didn't think the area across from Hetzer's would work because there is no parking and they don't know what is going to happen with that intersection. He doesn't think the Hills House is good, either and is leaning towards the site where they were once considering putting the train station. It belongs to the State, but they can probably get approval.

Selectman Stewart suggested the old Town garage site. Selectman Jasper didn't think that was an option because the firefighters wanted to build the monument this year and they don't know if the voters will approve a garage. Chairman Madison didn't want it on the site where the cannon is. Selectman Charbonneau said there weren't many sites large enough to accommodate what they intend to do. A suggestion was made to use the strip of land between the Town Hall parking lot and Chase Street, but Lt. Morin said snow is dumped there during winter plowing operations. Selectman Charbonneau said they shouldn't rush into this because they want the end result to be something they can all be proud of. Chairman Madison agreed, saying they can defer action till a future meeting, adding that the site should be large enough to allow people to gather. Selectman Jasper said Lt. Morin's committee should come back with a list of site preferences.

Chairman Madison favored Selectman Stewart's suggestion. They could use an end of the parking lot, putting in grass and trees in time for the dedication ceremony, even if they don't do anything with the building until later. Selectman Charbonneau agreed that that would be the nicest location. Chairman Madison asked Lt. Morin to come back after Town Meeting

vote because then they will know if the Highway facility has been approved. Lt. Morin asked if it was alright for them to start fundraising. Chairman Madison asked Lt. Morin to come back on March 23rd. Selectman Jasper asked that Lt. Morin work with the Town Planner in reference to the proposed layout.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to let them use Town property (site to be determined) to put up the monument, and they can start fundraising, carried unanimously.

D. Award of Cruiser Bids

Police Chief Gendron's recommendation was to award one bid package to Mirak Chevrolet, a major fleet dealer of police cruisers and taxis in Arlington, MA, consisting of three 99 Chevy Luminas for \$59,787, with three 96 Caprice police cruisers as trade-ins of \$21,900, a net amount of \$37,887 and a second bid package to Grappone Ford of Concord, NH, consisting of two Ford Crown Vic police packages and one Ford Explorer SSV, amounting to \$70,744 less trade-in of \$21,500 (2 96 Chevy Blazers, a 89, 90 and 2 91 Chevy Caprices) for a net amount of \$49,244 and a total price for both packages of \$87,131. The line item for vehicles is \$120,000 so this represents a huge savings. Nine Town and Police vehicles will be traded in for six new vehicles, reducing the total fleet by three. One of the Luminas will be shared by Planning and Zoning. The GM warranty package is 3-year, 75,000 miles, bumper to bumper, \$0 deductible. Ford's warranty package is for the power train only.

(Start Tape 2, second side)

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the proposal as submitted by the Chief of Police for a grand total of \$87,131 carried unanimously.

E. Public Hearing/Acceptance of a Donation from Sports Photo to the Recreation Dept

Chairman Madison opened the Public Hearing at 8:55 p.m. and asked if anyone wished to speak on this issue. There was no response, so she closed the Public Hearing.

Motion by Selectman Stewart, seconded by Selectman Jasper, to accept a donation of \$550.24 from Sports Photo, with thanks, carried unanimously.

F. Bell Atlantic's Telephone Pole Petition and License (Hampshire Drive)

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to grant, as recommended by staff, carried unanimously.

G. Sewer Connection Waiver Requests

1) Tri-State Properties Corp.

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to grant the request, as recommended by the Sewer Utility, as the distance to connect is greater than 100' carried unanimously

2) Peri Damon

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to grant the request for a period of one year, as recommended by the Sewer Utility, carried unanimously.

H. Sewer Acceptances

1) Pondview Estates, Phase III -- Map 29, Lot 27

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to accept the sewer, as recommended by staff, carried unanimously.

2) Highland Woods -- Map 24, Lot 39

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to accept the sewer, as recommended by staff, carried unanimously.

3) Thurston's Landing East -- Map 21, Lot 4

Motion by Selectman Jasper, seconded by Selectman Seabury, to accept the sewer, as recommended by staff, carried unanimously.

4) Thurston's Landing East, Bear Path Lane

Motion by Selectman Stewart, seconded by Selectman Jasper, to accept the sewer, as recommended by staff, carried unanimously.

I. Assessing Items

1) Elderly Exemption, 17A Holly Lane, Blanche B. Aubin

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

2) Abatement Application, 7 Pond View Drive, Map 57, Lot 91-27

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

3) Abatement Application, 129 Ferry Street, Map 57, Lot 9

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to grant, as recommended by the Assessor, carried 4-1. Selectman Charbonneau was opposed.

4) <u>Discretionary Easement Application, Map 37, Lot 4, "School House #9, Jasper Corp."</u>

Selectman Jasper stepped away from the table and sat in the audience.

Chairman Madison recognized Assessor Jim Michaud, who said the discretionary easement was created by the Legislator for properties with less than 10 acres and still enjoy current use, which are extremely low valuations per acre. An area that benefits is a historically significant property. This is an exemption for land only;

the building and the area that supports the building would still be assessed. The lion's share of the assessed value of the property is the building lot. Attorney Ratigan's office worked up a fairly involved discretionary easement deed for another community and that's what Hudson is going by. If the consensus of the Board is to move forward with this, he suggested meeting with the taxpayer to work through some of the options.

Chairman Madison asked Mr. Jasper if he would tear down the building if the Board does not approve the application. Mr. Jasper said they are going to have to find another use, whether it is changing the use of the building or re-evaluating whether the building can stay there or not. The lot is .45 acres, but the Town recognizes that as a full buildable lot and is assessed as if it were a full acre. They cannot continue to pay \$1,300 a year to maintain the one-room schoolhouse, which his grandfather purchased it from the school district in 1938. They haven't done anything with it except use it for storage. Electricity hasn't even been brought in and they've never realized any income from it. Even though the School District cut them off this year, they will still allow the Fourth Grade to come in. Jasper Corp will have to carry the liability on it and maintain it. They want to see it preserved, having owned it for 61 years, longer than the 50 years it was in use.

Chairman Madison asked if the request to use the school would have to come through the Town, if the Board grants the discretionary easement. Jim said the taxpayer would still retain his rights. Mr. Jasper said the Jasper family has no desire to do anything with the schoolhouse other than maintain it forever, but \$1,300 a year is too expensive a hobby.

Chairman Madison thought the Junior Women's Club went in there and did something. Mr. Jasper said they did mainly cleaning and they painted half of the outside. Last year, an Eagle Scout painted the outside. Jasper Corp has always maintained the roof and the structure. Most of the furnishings are original. The Junior Women's brought in a teacher's desk. The school houses in the district tended to open and close, depending on enrollment. It closed in 1932 and it wasn't re-opened again. By 1938, when his grandfather purchased it, they had taken out the stove, the teacher's desk and a few other things. The books, maps and desks were left. The books are from the 1800's and he has the original lock and key to the front door.

Paul said this started out as a potential granting of development rights and the genesis to discretionary easement was because that was really the only vehicle the Town had. He asked what rights would be granted to the Town under this easement. Jim said specific rights can be negotiated. It can be as simple as the Town has no rights to the land and Jasper Corp. has no rights to develop it, or it can be pretty laborious, which might include pedestrian access. It's what the Board feels is useful and what Jasper Corp can live with. The Town doesn't normally have any rights to land in current use.

Chairman Madison said this would keep Jasper Corp from developing the land, but he could turn around and sell it and they could take the building down and the easement would run with the land. Jim didn't know if it could be construed that the historically significant part of the land is the fact that there's a school house adjacent to it, which would prevent the school house from being demolished. Chairman Madison said they aren't considering the land as historic, it's the school house. Jim agreed, but the discretionary easement is for the land only and this is

significant because it is where the school house is located. If the school house is gone, it ceases to be significant. Mr. Jasper said they tried to give the Town the development rights to ensure that nobody could build on the land, but it has become very complicated. He didn't want to grant pedestrian access a regular basis.

(Start Tape 3, Side A)

They don't have any problem opening up on special occasions, such as for the fourth grade or Old Home Days. As long is he is alive, that building will be maintained and h will agree to restrictions or a time period. There will never be sewer up old Derry Road. If water comes that far, they will still need a leach field. The Nadeaus are the abutters on three sides, with the road being the fourth.

Chairman Madison asked for the Assessor's recommendation. Jim said after he sits down with Shawn, he will bring the proposal back to the Board for acceptability. It should be kept simple, but all inclusive. Chairman Madison asked for the Town Planner's comments. Mike Reynolds thought they were taking a reasonable approach. Jim said they could try to have something for the next meeting. Mr. Jasper said it should be done before April 15th. He asked for a sense of the Board before proceeding with this. Chairman Madison polled the members. No one had a problem moving forward with this.

Motion by Selectman Stewart, seconded by Selectman Seabury, to defer this to February 23, 1999 carried 3-0. (Selectman Charbonneau had left the room.)

Selectman Jasper resumed his seat at the table.

9. OTHER BUSINESS

A. Rebroadcasting Schedule of Deliberative Session of School District and Town Meeting

Selectman Jasper said the rebroadcast dates will be the 19th and 20th and 5th and 6th. On the 19th and 5th, the broadcast will begin at 5:00 p.m. and on the 20th and the 6th, at 10:00 a.m. on Channel 24.

B. Status of Gambia Street Acceptance

Selectman Jasper asked Paul if he has determined if the Selectmen have the legal authority to accept Gambia Street. Paul said he doesn't have the answer yet.

C. <u>Development Activities near Clement Road</u>

Selectman Seabury thought that when developments occur, especially if they were tearing up huge quantities of soil and trucking it out, they had to put down a paved apron so all that junk wouldn't be tracked out onto the road. Paul said they have the responsibility of cleaning up after themselves. Selectman Seabury said they've taken most of Whitney Hill down and the stuff is coming down Clement Road. Her neighbor complained that sand and silt are coming off the hill and going into her driveway, plugging up the drain, which is in front of the garage door and the driveway slopes down. She's worried about the Spring rains.

D. Publishing Sample Ballot

Selectman Stewart said that last year, the Town published a sample ballot that was inserted into the HLN as a courtesy to the taxpayers. She moved that they do it again this year,

seconded by Selectman Jasper.

Selectman Stewart said a lot of voters carried the sample ballot into the voting booths with them and they were thankful they had had the weekend to look it over. Chairman Madison recalled that this was done in concert with the School Department and asked the Town Administrator to check with them again this year to see if they want to do this together and share the cost. Selectman Jasper thought some of the articles could use further explanation, so they might want to consider adding in a short paragraph on selected ones. Chairman Madison thought that was a good idea.

Chairman Madison recognized Coleman Kelly, who asked if the Board wanted the Cable Committee to arrange to televise a "Selectmen Speaks" segment. Chairman Madison didn't think so, that putting an insert in the paper was enough. Selectman Jasper said maybe next year.

Vote: Motion carried unanimously.

E. <u>Hudson American Legion Post 48 Dinner on February 27</u>

Chairman Madison said she has two complimentary tickets for a roast beef dinner from the American Legion for February 27, but she can't make it. They will make an award to a Town Hall employee, a Fire Department member, a Public Works employee and a member of the Police Department. Selectmen Seabury and Charbonneau will attend.

F. Maintenance of Gazebo at Pond View Estates

Selectman Jasper hoped the Town wouldn't end up having to maintain the gazebo at Pond View Estates. Selectman Charbonneau was also worried about that, adding that the cul-desacs that are not taken care of by the Highway Department look bad. Selectman Stewart said the site plans state they must be maintained by the residents of the development. Selectman Charbonneau said if the residents decide they don't want to go out and cut the lawn, they won't. Selectman Seabury thought the residents were paying a maintenance fee for things like that. Chairman Madison recalled that another development turned their cul-de-sac over to the Town because they didn't want to take care of it any more. Selectman Jasper said Pond View Estates has common open space, so there should be some sort of an association. Mike Reynolds said he would pull the development agreement and check on it. Selectman Jasper said it's nice to say the residents are going to maintain it, but if there isn't an association, it's not going to happen--and that will be an expensive thing to maintain. There's a gazebo there, with trees and a walkway, tennis courts and a lot of grass. Eventually, they will demand that the Town take care of it. Chairman Madison said Mike will look into it.

10. LICENSES AND PERMITS

Request for an Outdoor Gathering Permit by the Hudson Kiwanis Club to hold an Ice Fishing Tournament on Robinson Pond on February 14, 1999

Motion by Selectman Charbonneau, seconded by Selectman Stewart, to approve the permit, providing the ice is safe, carried unanimously.

11. ACCEPTANCE OF MINUTES

A. Minutes of the November 14, 1998 BOS Budget Deliberations

B. Minutes of the January 26, 1999 BOS Meeting

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

12. COMMITTEE ANNOUNCEMENTS

2/10 7:00 Planning Board in P/Z Mtg Rm

2/11 7:30 ZBA in P/Z Mtg Rm

2/11 7:30 SUC in Small Conf Rm

2/13 Chamber of Commerce Awards Dinner

2/15 Presidents' Day Holiday--Town Hall closed

2/17 NRPC Legislative Dinner at Anheuser-Busch

2/22 7:30 Conservation Commission in P/Z Mtg Rm

2/23 7:30 BOS in BOS Mtg Rm

13. REMARKS BY THE SELECTMEN

Chairman Madison wished Selectman Charbonneau a good vacation in Florida and a happy birthday on the 20th.

14. NONPUBLIC SESSIONS

Motion by Selectman Jasper, seconded by Selectman Stewart, to enter Nonpublic Session under 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, likely would 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 5-0 by roll call vote.

Nonpublic Session was entered into at 9:35 p.m. and was terminated at 10:25 p.m.

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

Chairman Madison announced the following decisions:

·Associate Planner, Nancy Minicucci's, salary was increased by \$1,500 as a result of her six-month salary review.

•The Chief of Police will be attending the FBI Academy in Quantico, Virginia in October for 11 weeks.

Motion by Selectman Jasper to take away the Chief's car and give him a mountainbike in order to help him get in shape for FBI school, seconded by Selectman Charbonneau, carried unanimously.

15. ADJOURNMENT

Motion by Selectman Jasper, seconded by Selectman Stewart, to adjourn at 10:27 p.m. carried unanimously.

Recorded and Transcribed by Priscilla Bo Executive Assistant to the Board of Select	
- HUDSON BOARD OF SELECTMEN	
E. Lorraine Madison, Chairman	
Rhona Charbonneau	
Shawn N. Jasper	
Ann Seabury	
Terry Stewart	