

1999 ANNUAL TOWN MEETING

Deliberative Session -- February 6, 1999

1. CALL TO ORDER by Moderator Michael Keenan at 9:00 a.m. in the Hudson Memorial School gym, who announced he would be assisted by William Arseneault, and who would be acting as Parliamentarian.

2. POSTING OF THE COLORS by Officers Chuck Gilbert, Kevin Sullivan, Tom Scanzano and Mark Beaudoin of the Hudson Police Department

3. NATIONAL ANTHEM, sung by Detective Chuck Dyac of the Hudson Police Department

4. INVOCATION by Reverend David Howe

5. INTRODUCTION OF THE BOARD OF SELECTMEN

Chairman E. Lorraine Madison; Terry Stewart; Rhona Charbonneau; Shawn N. Jasper; Ann Seabury

6. INTRODUCTION OF BUDGET COMMITTEE MEMBERS

Chairman John Drabinowicz; Howard Dilworth; Joyce Goodwin; Janice Johnson; John Knowles; Ben Nadeau; Donna Ohanian; Phil Parker; James Whitney; Ann Seabury, Selectmen's Rep; Kevin Walsh, School Board Rep.

7. RECOGNITION OF HUDSON'S SENATOR and REPRESENTATIVES

Senator Gary Francoeur; Representatives David Alukonis, Donald B. White, Rudy Lessard, Lars Christiansen, Robert E. Clegg, Jr. (present), Stan Searles and Joan Tate. Moderator Keenan announced that Representative Alukonis serves on the House Finance Committee and is at a meeting in Concord, trying to resolve the issue on school funding. He has never missed a Town Meeting and sent regrets that he was unable to be here today.

Stanley Searles conveyed his regret that he was unable to attend today, due to medical problems.

8. INTRODUCTION OF TOWN STAFF/OTHERS/SEATING OF NON-RESIDENTS IN HALL

Residents: Paul Sharon, Town Administrator; Cecile Nichols, Town Clerk/Tax Collector; Steve Malizia, Finance Director; Kevin Burns, Road Agent; Frank Carpentino, Fire Chief; Mike Reynolds, Town Planner; David Yates, Recreation Director

Non-Residents: Richard Gendron, Chief of Police; Jim Michaud, Assessor; Donna Lolos, Library Director (not present due to illness); Mike Gospodarek, Town Engineer; Susan Snide, Zoning Administrator; Priscilla Boisvert, Executive Assistant & Recorder

Others: John Ratigan, Legal Counsel; Gary Wulf, Labor Relations Consultant; Assistant Moderators Jeannette Guill, Esther McGraw, Vicky Beike and Linda Coburn; Supervisors of the Checklist Joyce Cloutier, Marty Anderson and Kevin Riley; Rich Pauley, Superintendent of Fire Prevention; Torrey Demanche, HFD Executive Secretary; Jack Minch, SUN; Tom West, TEL; Jodie Andrushevich, TEL Photographer

Motion to allow the seating of non-residents by E. Lorraine Madison, seconded by Shawn Jasper, carried.

9. TOWN MEETING

A. Announcements

1. Live broadcasting and Videotaping by Hudson Cable Committee: Chairman Coleman Kelly, John Beike, Harry Schibanoff, Michael O'Keefe, Lillian Yates and Steve Boucher

2. Moderator's Remarks/Review of 'Ground Rules'

Motion by E. Lorraine Madison, seconded by Ken Massey, to accept the Rules of Order carried by majority vote.

B. Warrant Articles

Article 12 Lowell Road Widening (BOND ARTICLE) -- to raise and appropriate \$1 million gross budget for construction and widening of Lowell Road, in addition to available federal, state or private funds and to authorize the issuance of \$1 million of bonds or notes in accordance with the Municipal Finance Act (RSA §33) and to authorize the Selectmen to issue and sell such bonds or notes and to determine the rate of interest thereon. (In addition to Article 17, the operating budget) (Recommended by the Selectmen and the Budget Cmt)

Chairman Madison said the Wason Road to Executive Drive intersection will be increased to five lanes, with funding provided by 80/20 matching Federal funds. The Town will provide the plans and obtain the rights from property owners. This construction is in accordance with the Planning Board study and includes sidewalks and bicycle paths on both sides. The signalization work at Executive Drive will be funded by Hudson, which will include a new driveway opposite Executive Drive for PMA traffic. Currently there are 80,000 vehicles a day traveling Hudson's main corridors. The 80/20 match is \$1,122,877 of which \$224,575 is the Town's share. Other costs (intersection, appraiser and engineering design) total approximately \$1,661,000. Offsetting these costs is about \$820,000 in agency fees and past warrant articles, which leaves about \$841,000 to be funded by the Town. The request is for a \$1 million bond for 10 years. The impact on the tax rate for the first year is 13¢, 12¢ for the following three years

and it will continue to go down.

Dave Buhlman, 14 Scottsdale asked if studies were done to indicate if 3A needs to be widened if the Circumferential Highway is built and if it will be constructed. Chairman Madison assumes the Circumferential will be built, but traffic is often tied up on Lowell Road during peak hours. The proposed five lanes should be built to handle the traffic coming off the bridge and future traffic that will be generated by new businesses going in on 3A. Moving traffic through Town is of great concern.

There being no further comments, the Moderator called for a show of hands by those in favor of moving Article 12 to the ballot. The Moderator stated that the article passed.

SELECTMEN'S ARTICLES

Article 13 Ratification of Contract between the Town and Local 3657 AFSCME Police Union which calls for the following increases: 7/1/99-6/30/00, \$86,337; 7/1/00-6/30/01, \$88,482; 7/1/01-6/30/02, \$105,636 and to raise and appropriate \$86,337 for 99-00 fiscal year, representing additional costs attributable to the increase in salaries and benefits over those paid in the prior fiscal year. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and the Budget Cmt.)

Chairman Madison said last year she was opposed to the Police contract because it was very expensive and did not treat all of the officers fairly, especially those in the one-to-five year range. They have gone back to the bargaining table and tried to rectify some of the problems that were in the contract. This four-year agreement through 2002, reduces the number of steps from 10 to 6. Step increases are granted to individuals on their anniversary date. On July 1, there will be a 3% across the board increase, plus steps. In 2000, there will be a 4% increase and in 2001, a 5% increase. The total cost of the contract is \$280,455; this year's increase is \$86,337.

There being no questions or comments, Moderator Keenan asked for a show of hands by those in favor of sending Article 13 to the ballot and those opposed. Article 13 was forwarded to the ballot.

Article 14 Ratification of Contract between Town and Police/Fire/Town Supervisors Association -- Approving collective bargaining agreement, which calls for: 7/1/97 - 6/30/98, \$0.00; 7/1/98 - 6/30/99, \$0.00; 7/1/99-6/30/00, \$87,168; 7/1/00-6/30/01, \$32,099; 7/1/01-6/30/02, \$18,214 and to raise and appropriate \$87,168 for 99-00 fiscal year, representing the additional costs attributable to the increase in salaries and benefits over those paid in the prior fiscal year. (This is in addition to Article 17, the operating budget.) (Recommended by the Selectmen.) (**Not Recommended** by the Budget Cmt.)

Selectman Charbonneau said difficult negotiations began in January '98. This union has been without an agreement since June '97. Their last salary increase was July 1, 1996. This unit has been seeking equity adjustments for several years. The five-year agreement contains several significant changes.

Amendment by Selectman Charbonneau, seconded by Selectman Madison, to add "7/1/97 - 6/30/98, \$0.00 increase and 7/1/98 - 6/30/99, \$0.00 increase."

Selectman Charbonneau said this reflects a zero increase in salary and benefits for the first two years of the five-year contract.

Vote: Amendment carried by a show of hands.

Fred Giuffrida, 14 Pinewood Road, asked why the Budget Committee didn't recommend the article. Phil Parker said he felt it was too much money; the equity adjustments were \$600 to \$4,000.

(Start Tape 1, Second Side)

Kevin Walsh said his initial vote not to recommend was based on language in the original agreement. There was a \$4,400 adjustment in the first year, which he viewed as trying to make up for not having a contract for two years. He investigated the matter and now feels it is warranted. When the Budget Committee meets later today, he will ask to revisit this issue to change the recommendation.

Dick Patterson, 95-A Wason Road, recommended that the Budget Committee change their recommendation to favorable. The Police Department has been accredited, a great accomplishment, as less than 10 departments in the State are. He praised the department from the Chief to the patrolmen and thinks the outstanding performance of the individuals in this contract deserve an increase.

Chairman Madison hoped the Budget Committee would reconsider their vote and recommend this article. Selectman Jasper asked the Budget members to justify their reasons for not recommending.

Howard Dilworth said it's a lousy contract.

John Drabinowicz said a 10% and a 4% raise on top of each other is excessive, especially since the voters said 'no' two years in a row. "When does no mean no?"

Dick Patterson, 95A Wason Road, asked for the Labor Relations Consultant's opinion. Gary Wulf said they enter all negotiations on the basis of studied data, looking at what has happened to similar positions in like communities in the State, at the cost of living, at turnover rates and at the history of negotiations. He said this was a good contract that averages 3.1% per year over five years. It

is not a lousy contract. it takes effect on 7/1/99; there is no retro-activity. Increases will be based solely on performance evaluations. For a union, a tremendous concession. Mr. Patterson asked if a bad evaluation for an individual would mean no raise for them. Mr. Wulf said that person would get \$0.

Ken Massey, 20 Fairway Drive, supported the article and reminded everyone that several years ago, Hudson's Police Department was the training ground for other police departments because Hudson wasn't paying competitive wages. For the second year in a row, the unemployment rate is at a record low. The cost of living over the past three years has been up only about 3%. It's a booming economy, and the Town employees have other options--just look at the Globe. Three years without a raise is not the right way to treat good employees.

Selectman Jasper said he didn't have a problem with the overall package, but with some of the elements, but he's gotten beyond that. A lot of good employees will be hurt if this isn't passed. It's a good contract, fair to the taxpayer and to the people in the union. Selectman Charbonneau said, as part of the negotiating team, she went over this a number of times and it is not a lousy contract. There was compromise on both sides and these people deserve a raise.

Moderator Keenan asked for a show of hands on Article 14, as amended. Following the vote, he announced that the article is forwarded to the ballot, as amended.

Article 15 Ratification of Contract between the Town and the Highway Union-- To approve the cost items included in the collective bargaining agreement reached between the Selectmen and Local 1801 AFSCME, which calls for: 7/1/99-6/30/00, \$36,160; 7/1/00-6/30/01, \$28,837 and to raise and appropriate \$36,160 for 99-00 fiscal year, representing additional costs attributable to the increase in salaries and benefits over those paid in prior fiscal year. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and the Budget Cmt.)

Selectman Jasper urged support of this two-year contract. In the first year, there is a 50¢ an hour increase and step increases. In the second year, there's a 50¢ increase on January 1, and steps. Over the two-year period, it averages 2.65%. President's Day, Columbus Day and Civil Rights Day become floating holidays, allowing for personnel on duty during snow days without paying them overtime.

Moderator Keenan asked for a show of hands on Article 15. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 16 Ratification of Contract between Town and Firefighters Union Local 3154 IAFF-- To approve the collective bargaining agreement, which calls for the following: 7/1/99-6/30/00, \$36,140; 7/1/00-6/30/01, \$36,412; 7/1/01-6/30/02, \$50,016 and to raise and appropriate \$36,140 for 99-00 fiscal year, representing additional costs attributable to the increase in salaries and benefits over those paid in the prior fiscal year. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and the Budget Committee.)

Selectman Stewart said this covers 24 positions and equates to 3 cents on the tax rate for the first year.

Moderator Keenan asked for a show of hands on Article 16. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 17 Town Operating Budget -- to raise and appropriate as an operating budget, not including appropriations by special warrant article, the amount set forth in the budget posted with the Warrant, for the purposes set forth therein, totaling \$18,424,611. If this article is defeated, the operating budget shall be \$17,755,048, which is the same as last year, with certain adjustments required by previous actions of the Town or by law, or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. (Recommended by the Selectmen and the Budget Committee.)

John Drabinowicz explained that the Budget Committee's role is that of arbiter, given power by the Legislature to reconcile the appropriation requests to maintain the tax load within manageable proportions. He explained their rationale for setting the budget. They determined to set a tax rate goal of 2%, including warrant articles. The budget is only 2.4% higher than last year's. The tax rate would be set at \$6.74 per \$1,000 (on this article only), which represents a decrease from last year.

Chris Landry, 25 Beechwood Road said there was a difference between last year's default budget and the proposed budget by more than a 2.4% increase. Selectman Jasper said the difference is due primarily to the water company. The revenues and expenses are exempt because it's an in-and-out thing. Any special revenue, which make up a large percentage of the budget, would throw that off. Mr. Landry said Hudson's equalized tax rate is about 40% higher than the State average and 30% higher than the 17 local Nashua towns. Hudson's equalized tax rate for 1997 is \$7.47 compared to the State average of \$5.39. Out of the 17 towns, only two towns are higher than Hudson and 13% higher than Londonderry, 21% higher than Merrimack, 141% higher than Amherst, 113% higher than Hollis. He asked if the Selectmen and Budget Committee were aware of that and if that is being addressed.

(Start Tape 2, Side A)

Mr. Drabinowicz said there are discrepancies in the valuation figures, but it's open to interpretation. For the past three years, the Town's tax rate has gone down, while the School's side has gone up. Selectman Jasper didn't know how those figures were arrived at, but Hudson's tax rate has changed very little in the past five years. During the 80's, there were high tax increases and the budget went up astronomically. Since they changed back to the Selectmen form of government, taxes have remained stable. The budget is

what it is because that's what the people of Hudson decided they wanted for services. Mr. Landry said Hudson pays about 28% of their taxes to the Town side, which is high in comparison, and about 64% toward the schools, way below the State and local averages.

Donna O'Hanian said Hudson residents enjoy the Town services, such as curbside trash pickup. While they may pay a little more percentage-wise, she feels those services are well worth it.

Joseph Wozniak, 7 Sycamore Street, asked for an explanation of the \$280,000 contingent liability in the Auditor's Report. Selectman Jasper said when the Town purchased the Water Company, they also picked up some obligations made with developers who planned to expand the system. The Town won't continue with that practice in the future, but is obligated to honor the current agreements. Mr. Wozniak asked when this would end. Selectman Jasper said the contracts have differing end dates, that is spelled out in the contract, but probably have about four years left. Mr. Wozniak asked if it was a liability to the Town or to the Water Utility. Mr. Jasper said to the Water Utility. The reason Consumers did that was when you expand the system, you bring in more customers, so there is revenue to cover it. Mr. Wozniak referred to "Monied Warrant Articles" in the Warrant and said Item 44, Animal Shelter \$60,000 is misleading because it doesn't appropriate any money--those monies are available now, in the hands of the Trustees of the Trust Funds. He wondered why that item was included. Chairman Madison said it was an offset figure. If this item does not pass, the monies will go back into the General Fund. Mr. Wozniak said it was deceiving because the money contained in #44 has already been raised.

David Buhlman, 14 Scottsdale, asked what the impact would be to the Town after the State decides the education funding issue. Chairman Madison said one has nothing to do with the other.

Ken Massey, 20 Fairway Drive said Article 44 is listed as a monied warrant article, but if it passes, there won't be an increase in the tax rate. If it fails, there could be a decrease.

Moderator Keenan asked for a show of hands on Article 17. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 18 Authorization to sell Town Land -- To authorize Selectmen to sell approx. 35 acres of Town land located in Unicorn Industrial Park. (Recommended by Selectmen.)

Selectman Jasper said last year, the voters approved a similar article, authorizing the Selectmen to sell the land by sealed bid and put the money in a capital reserve account. The land was put out to bid, but none were received. The Selectmen need further authorization to sell the same piece of land. They are presently in negotiations, contingent upon authorization by the voters. The money will go into the General Fund and will be used as a revenue offset to construct a Highway facility, if that is authorized.

Ken Massey, 20 Fairway Drive asked why this did not include capital reserve fund language. If the Town sells the land, there is nothing to prevent the monies from being used for another purpose. When they voted on this last year, it stated that the monies would be used to construct a Highway garage. Selectman Jasper said the Selectmen are confident the voters will approve a Highway garage this year. They have in the past, but it didn't get the 2/3rds votes needed for a bond. If they did a capital reserve account with the Selectmen as agents to expend, and if they get approval for the Highway facility, they'd have to wait till next year for approval to expend the funds.

Moderator Keenan asked for a show of hands on Article 18. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 19 Public Works Facility -- To appropriate from 98-99 unencumbered budget surplus \$950,000 for construction of a Public Works facility. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and the Budget Committee.)

Selectman Jasper hoped everyone had a chance to look at the plans in the lobby. It is not a Taj Mahal, but it is reasonable, affordable and meets the needs of the department. The Board wants to be able to build this without impacting the tax rate.

Fred Giuffrida, 14 Pinewood Drive said he toured the current facility and viewed the plans and found they were better than what was proposed two years ago. The current garage is a pit, a safety hazard and an awful facility in which to expect people to work. Among other things, the Mechanic's area is cold, dark and damp and littered with spare parts.

Moderator Keenan asked for a show of hands on Article 19. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 20 Salary increase for Treasurer -- To raise and appropriate \$1,615 to establish Treasurer's pay at \$7,500, an increase of \$1,500 with corresponding FICA contribution of \$115. (In addition to Article 17, the operating budget) (Recommended by the Selectmen and the Budget Cmt)

Selectman Jasper said the Town Treasurer is excellent and is in the office almost on a daily basis. They get reports on all the various funds, which they didn't get before, and she had all of the Water Company work added to her duties. This increase is fair and equitable.

Moderator Keenan asked for a show of hands on Article 20. Following the vote, he announced that the article is forwarded to the

ballot, as presented.

Article 21 Increases for Non-Union Personnel -- To raise and appropriate \$15,000 for wage and benefit increases for non-union personnel. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and by the Budget Committee.)

Chairman Madison said this includes the Town Administrator, Executive Assistant, Finance Director, Road Agent, Fire and Police Chiefs and Recreation Director. Increases are given on a merit basis.

Moderator Keenan asked for a show of hands on Article 21. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 22 Part-time Community Cable Broadcast Position -- To raise and appropriate, *to be offset by revenue, the franchise fee*, \$10,916, which represents the cost of wages and benefits to hire a part-time cable television employee. This appropriation will be offset by revenues received from the cable television franchise fee. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and by the Budget Cmt.)

Selectman Jasper said last year they appropriated \$63,000 to buy equipment and they can't have a community cable service without paid personnel. This person will attend a lot of night meetings to get information out to the cable subscribers.

Coleman Kelly, 9 Rena Avenue made the following amendment to change the organization of the wording so that "to be offset by revenue, the franchise fee," would appear after the word appropriate and before the amount, and then the rest would read the same.

Kathleen Bills, 14 Tessier Street asked if this was in conjunction with Harron Cable. Coleman Kelly said Harron, who purchased the assets from the former provider, Americable has been the cable provider for Hudson since October.

Chris Landry, 25 Beechwood Road supported the position, asking if there would be an increase in franchise fees. Chairman Madison said no, there shouldn't be.

John Knowles, 51 Quail Run Drive, questioned the redundancy and asked if the last sentence shouldn't be deleted. Mr. Kelly said no, he just wanted to indicate where the money was coming from before identifying the amount.

Vote: Amendment carried.

Moderator Keenan asked for a show of hands on amended Article 22. Following the vote, he announced that the article is forwarded to the ballot, as amended.

Recess--Moderator Keenan called for a recess at 10:40 a.m. The meeting resumed at 10:50 a.m.

(Start Tape 2, Second Side)

Article 23 Wage and Benefits Increase for Town Clerk/Tax Collector -- To raise and appropriate \$1,356, a 3% wage and benefit increase, for the Town Clerk/Tax Collector. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and by the Budget Committee.)

Selectman Jasper presented the article and urged support of it.

Moderator Keenan asked for a show of hands on Article 23. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 24 Property Appraiser position -- To raise and appropriate \$41,410, which represents wages and benefits necessary to hire a property appraiser. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and the Budget Committee.)

Selectman Charbonneau said since 1980, the Assessing Department has had only two employees, while the population and real estate parcels have both increased 40%. Responsibilities and demands upon Assessing have also increased, without any additional support. The Town's tax base has increased over 80%. She itemized the duties handled by the Assessing staff and then listed ways this position would benefit the Town. The property tax base for Hudson accounts for almost 70% of the revenue basis.

Robert Clegg, 39 Trigate Road asked if the new person would do spot evaluations as opposed to all at once where everyone gets hit at the same time. Jim Michaud, Assessor, said the last reval was in 1991. After the 2001 reval, the intent is to enable the Town to maintain its tax base and maintain equity. They will be able to adjust values in-house. If a property's value is increasing or decreasing, State law mandates that they must change that value, which is not being done on an annual basis.

Mr. Clegg said it's impossible for one person to reval the entire town in one year. If a \$300,000 house starts selling for \$325,000 he wondered how one person can reval all the houses in that property range. He asked if it would be done automatically, without an inspection. Mr. Michaud said it wouldn't be just one person. He's the Assistant Assessor, there is an Administrative Assistant and the new person would be the Property Appraiser. With computerization, they will be able to statistically analyze the market. The plan for 2001 is to go house-to-house, collecting data. After that is done, they will adjust the values. If people do major changes to their property, they will pull a building permit and Assessing will go out to that property to inspect it.

Mr. Clegg asked if the Town will still require outside services or if with the addition of the new person, the Town will be able to do a total revaluation. Mr. Michaud said it will reduce the cost of a future reval by approximately \$300,000. If they keep their tax base up to date year to year, they won't need as much outside help. They would have to bring in a utility appraiser. Mr. Clegg said he had a surprise valuation without anyone going into his home to do an inspection and it took some effort to prove that the inspection never took place. He, therefore, urged defeat of this issue.

Chairman Madison hoped the voters would approve this article. The intent is to level out the tax base. A 10-year reval costs about \$400,000 and that's what they are trying to avoid. A phone call to Town Hall is all it takes for someone to go out and look at a property. This also gets new revenue into the system when it occurs, not eight or nine years later. People would be foolish not to vote for this.

Selectman Jasper strongly favored this article. The Town is still paying for the last reval that was bonded and very expensive. This will allow more of the work to be done in-house. Houses that are being built today are assessed based on the methodology that was used to assess houses in 1990 and they are losing a lot of revenue doing that. The same is true for commercial buildings. The Town needs to keep its assessing current, which will save the Town a lot of money. There is no guarantee that if the Town is done all at once, you will get excellent results. This is a good move for the Town.

Moderator Keenan asked for a show of hands on Article 24. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 25 Reconstruction/repair of Melendy Road Bridge at First Brook and County Road Bridge at Second Brook -- To raise and appropriate \$260,000 for the maintenance and repair of Melendy Road Bridge and County Road Bridge, and to authorize the Town to apply for and accept any federal or state grants that may be used for this purpose. It is anticipated that grants will reimburse the Town approximately \$208,000, resulting in a net cost of \$52,000. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen; **Not Recommended** by the Budget Committee.)

Selectman Jasper said they've been concerned with these bridges for a number of years. Money has been put into the budget since 95, but there wasn't enough, so it lapsed. Last year, there was a wording problem, so the article was withdrawn. If it's not approved this year, the weight limits may be lowered on these bridges.

Ken Massey, 20 Fairway Drive, wondered why the article didn't specify "Melendy Road Bridge at First Brook and County Road Bridge at Second Brook." If there are other bridges on either road, they will still have wording problems. Chairman Madison said there aren't any other bridges.

John Drabinowicz said money keeps getting put in but never gets expended. The Budget Committee felt that if this project is so desperately needed, it should have been done.

Fred Giuffrida, 14 Pinewood Road hoped the Budget Committee would revisit this article when they meet following the adjournment of Town Meeting.

Donna O'Hanian said this would be throwing money away because the road needs more improvement than just to the bridge. Where County Road exits on 3A is a dangerous intersection. She'd rather see money put towards a study of that area.

Kathleen Bills, 14 Tessier Street agreed with the previous speaker.

Leonard Smith, 3 Leslie Street, said an informal study has already been done. It would be nice to have the intersection at the lights, but the bridge still needs to be repaired.

Moderator Keenan asked for a show of hands on Article 25. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Moderator Keenan turned the gavel over to Assistant Moderator Bill Arseneault.

Article 26 Middle School/School Resource Officer Position -- To raise and appropriate \$39,937 for the cost of wages and benefits to hire a full-time school resource police officer for Memorial School. This position may be eligible for federal government funding up to \$125,000 over a three-year period pursuant to a US Dept of Justice Universal Hiring Program. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and by the Budget Committee.)

Chairman Madison a School Resource Officer acts as a role model and mentor for children in need and his or her involvement is three-fold: law enforcement, education and counseling. An officer would be in Memorial School 40 hours per week to help provide a safe and orderly learning environment. From 97-98, police calls at Memorial have increased by 37% and assault calls have increased 54%. This program will be modeled after the Alvirne program, winner of the 1998 Gold Circle Award. This program has been recognized by the NH Attorney General's Office as the program to emulate throughout the State. School violence has been reduced at the high school by 39% and calls for service by 80%. This will be fully-funded for three years by a federal grant in the amount of \$125,000.

Ken Massey, 20 Fairway Drive asked if this expenditure would have been approved if it had not been for the federal funds. John Knowles said probably. They were aware of the fact that in three years, the funding goes away, but the position won't. Mr. Massey asked if they remembered the Comprehensive Employment and Training Act of the 70's and 80's, where the government provided

funding to help train people for employment. The idea was to provide seed money to do things but when the seed money ran out, the positions were eliminated. If the position is really needed, it should be included in the budget. Chairman Madison said yes, they would have approved the position. Howard Dilworth said money, whether through a warrant article or the operating budget, is always looked at as part of the appropriations side, so it's always known to be what it is. This is gross budgeting, required by law. He remembers the CETA act and doesn't remember anyone being let go. Rhona Charbonneau said she would support this, even without government funding.

John Drabinowicz thinks the police do a wonderful job in Town--a far cry from the jack-booted thugs of the past--but he's leery about bringing policemen into schools. Pretty soon, they'll be putting officers into the elementary schools--too much Big Brother for him.

Assistant Moderator Arseneault asked for a show of hands on Article 26. Following the vote, he announced that the article is forwarded to the ballot, as presented.

(Start Tape 3, Side A)

Article 27 Hudson Police Department Speed Detection Message Board -- to raise and appropriate \$14,665 to acquire a speed detection message board for neighborhood speed monitoring and driver feedback. (In addition to Art 17, the operating budget.) (Recommended by Selectmen and Bgt Cmt)

Chairman Madison said this was a portable, self-contained speed display unit that is towed to areas of Town experiencing speed-related problems. It encourages voluntary compliance. The Town has applied for a \$6,000 grant to help defray costs.

Chris Landry, 25 Beechwood Road, supported the concept and inquired about its effectiveness. Chief Gendron said it was very effective and made a significant difference in the localities in which it was used during a two-week trial period.

Dave Goodwin, 4 Marshmallow Path, supported the article, saying that he was amazed how it slowed the traffic down in his area when the unit was placed on Ferry Street.

Fred Giuffrida, 14 Pinewood Road, questioned its long-term effectiveness.

Assistant Moderator Arseneault asked for a show of hands on Article 27. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 28 Community Policing Officer -- To raise and appropriate \$34,455 for wages and benefits to hire a full-time community policing officer. Up to \$75,000 may be funded over a 3-year period by a US Dept of Justice Universal Hiring Program. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen; Not recommended by the Budget Cmt.)

Chairman Madison said this officer would be added to the Patrol Division. According to an FBI report, towns in the northeast should be staffed with 2.8 police officers per thousand residents, and higher if located near a metropolitan area. Using those numbers, Hudson Police Department should have 56 officers, but has 37. Calls for services have increased from 14,998 in 1993 to 17,742 in 1998.

John Drabinowicz said the Budget Committee hadn't been given information prior to the presentation made to them. He didn't feel that this position was justified.

John Knowles asked for justification for a Community Policing Officer and the difference between that and a patrolman. Chief Gendron said this person would have normal duties of patrolling a sector, but will receive additional training in working with businesses and residents to solve problems.

Leonard Smith, 3 Leslie Street, said the Police Department has done an excellent job in working diligently to keep the crime rate down. More officers would be a good thing.

Jim Whitney said the Police officers have on-board computers, which will help free up their time by not having to do paperwork and, therefore, an additional person is not justified.

Angela Hurshman, 20 Greeley Street, said the more protection, the better. Thieves and thugs will learn they can't mess with the Town of Hudson.

Selectman Charbonneau supported the article because of the rate the Town is growing. More officers is added protection--and they should take advantage of grants.

Assistant Moderator Arseneault asked for a show of hands on Article 28. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 29 Fire Prevention Officer -- To raise and appropriate \$45,246.75, for a fire prevention officer. This position has been filled by a full-time employee since 1993, and is involved in all facets of fire prevention, safety education, investigation, code research and plan review for the Fire Dept. (In addition to Article 17, the operating budget) (Recommended by the Selectmen and the Bgt Cmt.)

Selectman Stewart said this is to formally bring this position before the voters. The person currently holding this position has been with the department 14 years. The Fire Prevention Officer is a specialized position that requires technical knowledge in many areas. Since 1995, work in this division has increased 223%. This article represents 4¢ on the tax rate.

Ken Massey, 20 Fairway Drive, asked why this position was being singled out instead of being included in the operating budget, and if it would be coming back every year. Chairman Madison said a few years back, it was voted that, as advisory only, new hirings would be brought before the voters. When the Fire Superintendent resigned, his position was frozen and a Fire Prevention Officer was hired. This year, when the Board un-froze the Fire Superintendent's position, a Selectmen objected, saying that the previous Board's intent was to eliminate the Fire Superintendent's position and hire a Fire Prevention Officer. The Board, however, voted to unfreeze the position, so now the Town has a Fire Superintendent and a Fire Prevention Officer. As a courtesy to the Budget Committee, the Selectmen put forth this article. It has been implemented and will be included in future budgets.

Assistant Moderator Arseneault asked for a show of hands on Article 29. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 30 Two Firefighter/EMT-I Positions -- To raise and appropriate \$87,255.96, for wages and benefits necessary to hire two full-time firefighter/Emergency Medical Technicians intermediate level. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and Budget Cmt.)

Selectman Stewart said current staffing is not sufficient to handle the demands placed upon the department, necessitating the use of overtime. There has been a significant increase in emergency services, but not in staffing. Since 1995, Fire/EMS calls have increased 209%. This article will allow the department to have six members on duty at all times.

John Drabinowicz asked if any thought has been given to hiring Call firefighters. Chairman Madison said with the population growing like it is, she thinks the answer is full-time personnel.

Chris Landry, 25 Beechwood Road, believes this was part of an on-going process to increase Fire Department staffing levels. He asked for overtime costs and wondered if a savings was actually being realized. Chairman Madison said the Selectmen were told the department needed eight new firefighters. They could not be hired all at once, so that is why they are increasing staff a little each year. This would make six of the eight. Chief Carpentino said they were realizing a savings.

Assistant Moderator Arseneault asked for a show of hands on Article 30. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 31 Salary increase for Library Employees -- To raise and appropriate \$18,660, a 5% increase in wages and benefits for the employees of Hills Memorial Library. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen; Not recommended by the Budget Cmt.)

Selectman Seabury spoke in favor of the article.

(Start Tape 3, Second Side)

Lisa Riley, 7 Jeanne Street, Chairman of the Library Board of Trustees, gave a visual presentation, supporting this salary increase, showing that Hudson library personnel were receiving less than their counterparts in other communities. A 5% increase would help provide more competitive salaries. All of the staff have Bachelor's degrees, and many have Master's or are completing graduate course work.

Kathleen Bills, 14 Tessier Street said other staff were getting increases, so Library staff should, too.

Leonard Smith, 3 Leslie Street, said Library personnel work under adverse conditions. They are doing a good job and they should be paid what others in their professions are earning.

Assistant Moderator Arseneault asked for a show of hands on Article 30. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Assistant Moderator Arseneault turned the gavel back over to Moderator Keenan.

Article 32 Land purchase for future library -- To raise and appropriate \$200,000 for the purchase of land for future library expansion. *This article has been designated by the Board of Selectmen as being a Special Warrant Article.* (In addition to Article 17, the operating budget.) (Recommended by the Selectmen; Not recommended by the Budget Committee.)

Selectman Seabury brought forth the article and spoke in favor of it.

Lisa Riley, Chairman of the Library Trustees, gave a visual presentation. When they did a survey in 1995, 71% of the respondents said a new library was needed; 52% wanted it at/near the current location. The current facilities are far behind what they should be for a community the size of Hudson, but it is a beautiful landmark building. They have 5,277 square feet of space, including the main building and two modular units, with a collection of 61,861. When a study was done on the library, it was determined that space needs by 2017 is 25,694 square feet with a projected collection of 100,000 volumes. Many people have offered time and

money, but they can't do fundraising because they don't know when or where they are going to build. They are looking to buy properties adjacent to Hills Memorial Library to add to the existing .95 acre site. It will provide space for expansion, parking and the current site will be preserved. Two properties would be purchased this year. The property owners they have spoken with are in favor of the use of their properties for library purposes. One property sold last year for a very good price, but it's no longer in their price range. Another owner is prepared to sell to the Town this year. If the Town turns this article down, they will sell to someone else.

Ken Massey, 20 Fairway Drive, asked why this article doesn't create a capital fund. He is in favor of this article, but if the land purchases fall through, the money will go into the General Fund. Selectman Jasper said in order to spend a capital reserve account, you need to have Town Meeting authorization. They ran into a problem last year and couldn't have the Selectmen as Agents to expend. He said this should be made into a Special Article, which means the money would roll over up to five years.

Maryanne Knowles, 51 Quail Run Drive, a member of the Friends of Hills Memorial Library, strongly supported the article. She read an excerpt from *A Town in Transition--Hudson, NH*. "The history of Hills Memorial Library is largely about people who care. The books which came from its predecessor, the Greeley Public Library, were gifts from the will of Dr. A. J. Greeley and his heirs. The land was a gift from Kimball Webster and the library itself was built in memory of Ida Virginia Hills by her husband, Dr. Alfred Cahill." She said the location was chosen because it was accessible from several routes. By 1925, circulation doubled. If they care about the history, they have a solemn responsibility to honor the Town Fathers' dream of a library facility that is welcoming and accessible to all. They have the opportunity to purchase the land to retain this wonderful gift, while expanding the facility to meet the needs of future generations. This opportunity may not come again.

Kathleen Bills, 14 Tessier Street, supported the article, saying the handout showing the layout of the proposed library gives them a visual to focus on, but they can't do anything until they get the land.

Motion by Selectman Jasper, seconded by Ken Massey, to add, "This article has been designated by the Board of Selectmen as a Special Warrant Article." Selectman Jasper polled the Board and all five members were in agreement with this amendment. It would allow the money to roll over for five years, if not expended. *Motion carried by a show of hands.*

Lisa Weber, 3 Hilindale Drive asked the Budget Committee why they opposed this. John Drabinowicz said he opposed it because the Town needs many other things right now, including a Public Works garage and additional personnel. He didn't think a library was as high a priority.

Joyce Cloutier, 6 Clifton Street, asked about the cost of removing the asbestos. Lisa Riley said it is difficult to determine because they don't know where or how the library will be situated. Parking areas will be paved over. Possibly, a cellar hole will be used for an asbestos dump. She estimates the cost for asbestos removal/abatement would be about \$50,000. Mrs. Cloutier said they will find a lot of asbestos when they dig into the hill.

Leonard Smith, 3 Leslie Street, said when he was on a previous library building committee, they located the asbestos and there is none where they are going to do the digging. However, they might encounter some areas of it. The easiest way is to cover it. A lot of it will be covered by a parking lot. If they find any, it can be taken care of without a great expense and would be part of the library building appropriation. First, they need to purchase the land before they lose it. Town parking is badly needed. This would add to the community center they're trying to build up. He couldn't understand the Budget Committee's rationale. He thinks now is the time to budget the money and spend the \$200,000 to buy the land. There are upcoming expenses, but they're fortunate that the CIP are mostly taken care of by the reserves. He supports the article.

(Start Tape 4, Side A)

Jim Rice, 28 Sunland Drive, hoped this would be approved. If they wait, the price of land will go up.

Donna O'Hanian sees this as a first step in easing the burden for the taxpayers. The Friends of the Library plan to become incorporated in order to be allowed to accept large donations. Many groups are willing to donate toward a new library. However, the Town needs to have a plan, and a site. The Town will save money by the Friends and the Trustees soliciting donations.

Moderator Keenan asked for a show of hands on amended Article 32. Following the vote, he announced that the article is forwarded to the ballot, as amended.

Article 33 Purchase of former Benson Property -- To raise and appropriate \$50,000 to be added to the existing capital reserve fund established for the purchase and renovation of Benson's property (\$50,000 was raised and appropriated to this fund at the '98 Town Meeting), and to authorize the withdrawal and expenditure up to \$100,000 from the Capital Reserve Fund for that purpose. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and the Budget Cmt.)

Selectman Charbonneau said this was a great opportunity. This is about the only large tract of land that is available, with many possibilities for development, and the State will sell at a reasonable price.

Esther McGraw, Kimball Hill Road, said she's lived on Kimball Hill Road all her life and she knew Mr. Benson. Hudson is on a national map for bike route and bikers look for places to camp. The Town should use the land for a campground. She has allowed them to use her yard because nothing is available. People have offered donations that she can't accept because the Town doesn't own the land.

Moderator Keenan asked for a show of hands on Article 33. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Lunch break called by the Moderator at 12:30 p.m. The meeting reconvened at 1:00 p.m.

Article 34 Hydrogeological Evaluation of Hudson Landfill off of Burns Hill Road -- To raise and appropriate \$60,000 for hydrogeological evaluation of the Hudson landfill situated off of Burns Hill Road. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and the Budget Committee.)

Selectman Jasper said the landfill on Burns Hill Road was closed during the 70's but not capped. The back side of it is wet and leachate is seeping out of the ground. The land that surrounds the landfill is owned by a family who is concerned about that. DES strongly suggests that the Town do an evaluation of the leachate and the whole issue of the landfill. Monitoring and testing of closed landfills is an on-going process. If they don't take care of this problem, there will be legal ramifications. The Town should take responsibility for the mess they created.

Moderator Keenan asked for a show of hands on Article 34. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 35 Land Purchase of areas which encroach onto abutting Property adjacent to Hudson Landfill situated off Burns Hill Road -- To raise and appropriate \$40,000 for the purchase of approximately four acres of land abutting the Hudson Landfill which is situated off of Burns Hill Road. (In addition to Article 17, the operating budget article.) (Recommended by the Selectmen and the Budget Committee.)

Selectman Jasper said this is the second part of the problem. The Town inadvertently encroached onto approximately 1½ acres of the abutting property when they were landfilling. The original owner has passed away and his heirs want the problem taken care of. Four acres are recommended because buffers should be established. The Selectmen feel this is a good solution to a bad situation.

Moderator Keenan asked for a show of hands on Article 35. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 36 Rescinding Bonding Authority--Friary Property -- To rescind the authority voted by the Town on 3/16/96, authorizing the issuance of \$2,400,000 of bonds or notes in accordance with provisions of Municipal Finance Act (RSA §33) and rescind the authority given to the Selectmen to issue and negotiate the bonds or notes and to determine the rate of interest thereon, all for the purchase of the land known formerly as the Friary. (Recommended by Selectmen.)

Chairman Madison said this is a housekeeping issue only.

Moderator Keenan asked for a show of hands on Article 36. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 37 Rescinding Bonding Authority--Consumers NH Water Company -- To rescind the remaining \$7,000,000 of bonding authority given the Town, at a vote taken at a Special Town Meeting on 1/13/98, authorizing the issuance of \$34,500,000 of bonds or notes to acquire Consumers NH Water Company plant and property. (Recommended by the Selectmen.)

Chairman Madison said this is a housekeeping issue only.

Moderator Keenan asked for a show of hands on Article 37. Following the vote, he announced that the article is forwarded to the ballot, as presented.

*Motion
by Ken
Massey
to
suspend
the Order
of the
Day to
take up
Article
44, was
seconded
by David
Coleman.
The
Moderator
called for
a vote
and*

determined that it was too close to call. Ms. Guill assisted him in counting. The motion failed-- 31 in favor, 35 opposed.

Article 38 Fire Prevention Ordinance -- To amend Town Code Chapter 210, Fire Protection. (Recommended by the Selectmen.)

Selectman Stewart deferred to Superintendent of Fire Prevention Rich Pauley, who said this was largely housekeeping. The intent of the ordinance adopted 11/28/89 was to protect buildings in a population that was highly transient, ie, commercial buildings where there are more than three tenants moving in and out, by providing sprinkler and fire protection in the buildings. The overall goal is to improve life safety and to maintain a tax base by updating the BOCA National Fire Prevention Code to the 10th edition, adding language regarding the appeals process, updating the use and sale of fireworks to bring it into compliance with State law, and including two fire protection association standards, NFPA 13 and 13R, which deal with sprinkler systems. They did the same thing with regard to the fire alarm code. The fire prevention code, as put forth in the warrant article, has also been adopted by the State so any question that may arise at the local level, the Fire Marshall would have authority over also, with the exception of the BOCA Fire Prevention Code, which has not been adopted at State level.

John Drabinowicz asked why the State Fire Marshall should have jurisdiction over Hudson. He thinks local issues should be handled by a local board, such as the Selectmen. Mr. Pauley said it seemed appropriate that the State Fire Marshall should be the appeals hearings officer for violations or appeals to the State Fire Code.

Jim Rice, 28 Sunland Drive, supported the article, saying that the Fire Marshall has been trained and the State knows what its doing. He'd rather see the decision made in Concord.

Moderator Keenan asked for a show of hands on Article 38. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 39 Purchase of Property at 39 Ferry Street -- To appropriate \$150,000 from the 98-99 unencumbered budget surplus to purchase land and building at 39 Ferry Street (behind the Fire Station, at the corner of Ferry and Library Streets). Property will be used for Fire Department administrative offices. (In addition to #17, the operating budget.) (Recommended by the Selectmen and Bgt Cmt)

Selectman Stewart said the Fire Chief, Executive Secretary, Superintendent of Fire Prevention, Fire Prevention Officer and Fire Inspector presently work out of the Central Fire Station, which is undersized for the employees housed there and the level and type of services that the department provides--and the department is not handicapped accessible. Renovation costs would far exceed the cost of this property. The money would come from surplus, so there will be no impact on the tax rate.

Ken Massey, 20 Fairway Drive, asked if additional monies would be required to fit up the building.

Selectman Jasper said \$80,000 was already in the budget for renovations to the Kirby building. If this doesn't pass, they will move to the Kirby building.

Jean Serino, 118 Robinson Road, asked if \$150,000 was the asking price or the negotiated price. Selectman Jasper said it's the negotiated price. In 1987, the Town Council had a P & S to purchase this building for \$225,000, with an appraised value of \$235,000. It subsequently sold for \$165,000.

(Start Tape 4, Second Side)

Moderator Keenan asked for a show of hands on Article 39. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Moderator Keenan turned the gavel over to Assistant Moderator Bill Arseneault.

Article 40 Establishment of Land Use Change Tax Fund -- To adopt provisions of RSA 79-A:25-a to account for revenues received from the land use change tax in a fund separate from the general fund. Any surplus remaining in the land use change tax fund shall not be part of the general fund until such time as the legislative body shall have had the opportunity at an annual meeting to vote to appropriate a specific amount from the land use change tax fund for any purpose not prohibited by law or by the constitution of this state. After an annual meeting, any unappropriated balance of the land use change tax revenue received during

the prior fiscal year shall be recognized as general fund revenue for the current fiscal year. (The Selectmen propose to seek annual authorization from town meeting to appropriate monies from the fund to purchase open space land for conservation purposes). (Recommended by the Selectmen.)

Selectman Jasper said when land in current use is withdrawn, the Town receives 10% of the assessed value and the money goes into the General Fund. This is a vehicle to allow them to take the money to use to purchase open space. He estimates the amount they will average is \$30,000-\$50,000 a year.

Howard Dilworth asked why the Selectmen went this route instead of having the money placed in the Conservation Fund, which is typically done in other towns. Selectman Jasper said this way it comes directly to the Town. This is the manner in which the Town Attorney outlined for them and he thinks this is the appropriate way to go. Mr. Dilworth said Conservation funds are to be used for purchasing land to maintain open space, which is what this proposes. He's never heard of it being done this way.

Jean Serino, 118 Robinson Road, said she didn't understand the article. Selectman Jasper said as it stands now, when these funds come in, they are put into the General Fund. The article proposes that they go into a separate fund for the purpose of purchasing open space.

Chris Landry, 25 Beechwood Road, asked if this will have to go before the voters every year. Selectman Jasper said the Selectmen would come forward with an article to buy a piece of property or to put the money into another account so it wouldn't be lost.

James Wilkins, 112 Belknap, said it sounded like a Town Meeting slush fund. Selectman Jasper said the whole tax rate is a Town Meeting slush fund.

Lisa Riley, 7 Jeanne Street, asked if Town Meeting could vote to leave the money in the fund in any given year so it could accrue. Selectman Jasper said it was his understanding they could.

Assistant Moderator Arseneault asked for a show of hands on Article 40. Following the vote, he announced that the article is forwarded to the ballot, as presented.

PETITIONED ARTICLES

Article 41 Old Home Days Fireworks -- To raise and appropriate \$2,500 on an annual basis to support the Old Home Days fireworks display. (In addition to Article 17, the operating budget.) (Recommended by the Selectmen and by the Budget Committee.)

Shawn N. Jasper, Chairman of the Hudson Historical Society, said they are taking over Old Home Days this year. Their primary purpose is to raise monies to preserve the history of Hudson and their biggest White Elephant is the Alvirne Hills House, which requires a considerable amount of money to maintain. In past years, the Kiwanis has lost up to \$10,000 running the event. They are asking the Town to share in the community event. The fireworks cost \$5,000 and they are asking for half.

John Drabinowicz asked when no means no, that the people voted this down last year. He's opposed to using public funds to benefit a private organization.

Jim Rice, 28 Sunland Drive, said the voters are the boss, not the Budget Committee. This brings thousands of people to Town and a lot of non-profit agencies raise money during this event.

Teresa Stewart, 28 Tamarack Street, urged support of this article saying thousands of people go to Old Home Days mainly for the fireworks.

Shawn N. Jasper said in a democracy, no probably never means no, as long as you keep asking the question. Unlike a dictatorship, where you're off to the Gulag the rest of your life if they don't like the question, you can ask the same question and people can say no as many times as they want.

Amendment by John Drabinowicz to strike \$2,500 and replace it with \$0 did not receive a second.

Lisa Nute, 5 Buswell Street, asked if this will become part of the Town operating budget each year wondering what would happen if the Historical Society decides not to do fireworks. Howard Dilworth said one Town Meeting can't bind another, but most likely, it will become a line item in an operating budget, subject to budget deliberations by the Selectmen and Budget Committee.

Lisa Riley, 7 Jeanne Street, Treasurer of the Hudson Historical Society, said she has reservations about them undertaking the Old Home Days project, given the financial risk they are assuming. The \$2,500 commitment will help insure it's not a loss to the Historical Society. Many non-profit groups rely on the income they make at Old Home Days for much of their operating budgets. This is a petitioned article and any group of citizens has the right to bring forward any issue they like and it's inappropriate for anyone to degrade that process.

Assistant Moderator Arseneault asked for a show of hands on Article 41. Following the vote, he announced that the article is forwarded to the ballot, as presented.

Article 42 Repeal of Article 43 of the 1998 Town Meeting, Adoption of State Fire Code -- To ~~repeal~~ *reaffirm* the adoption of the State Fire Code. (***Not Recommended*** by Selectmen.)

Robert Clegg, 39 Trigate Road, said last year when the Town adopted the State Fire Code, Lenny Smith had said that was a big mistake. This year, in the State Legislature, Mr. Clegg found out that Mr. Smith was correct. Under the State Fire Code, the Town has given up all rights to adopt any code, other than the ones the State Fire Marshall adopts. The State Fire Marshall has adopted the NFPA codes, but he took out the Board of Appeals section. Under the law, he is the sole authority. Not only does he make the rules, he decides which codes to adopt, whether or not the people have to follow them, and how to follow them. He has also adopted a section in the code that says there is no grandfathering, so businesses or homes that were built a few years ago can be forced by the Fire Marshall's office to now update at the owner's expense. It was going to cost the town of Hinsdale \$477,000 to comply with the Fire Marshall's office recommendations. They said they don't have that kind of money, but would take care of things as they can. The Fire Marshall's office sent a letter back saying, "If you don't do this, we are going to prosecute." To appeal a decision of the Fire Marshall, you have to appeal to Superior Court. Within two days, you have to post a bond with two sureties in an amount sufficient to cover the Fire Marshall's portion of defense, in case you lose. A king has been created in the State, who makes his own rules and regulations and the only one you can appeal to. Mr. Clegg said he's filed a bill to try to straighten this out. The bill says the Fire Marshall doesn't have the authority to make rules and force it upon all of them.

Jim Rice, 28 Sunland Drive, believes in uniform fire codes for towns in the State. If the Fire Marshall didn't know what he was doing, the Governor wouldn't allow it.

Leonard Smith, 3 Leslie Street, opposed adoption of the State Fire Code last year because there wasn't adequate hearing. State law requires a public hearing so people have a chance to read it. Another State law says that the State can't force a mandate on a community. He asked if this was abuse of power. As a former building inspector, he always worked for the safety and fire prevention of a community. He was a Fire Department volunteer for over 30 years. When he made inspections, he tried to make sure it met fire regulations, even if they didn't have a code. He served on the Board of Appeals for 30 years. He tried to work with the people to get things done. Going by what only one person says isn't right. This is a democracy and he's surprised that this got through the State Legislature. When he worked at the State, they made sure the rights of the people were upheld.

Angela Hurshman, 20 Greeley Street, said the owner of Hudson Market scrimped and saved all her life to have her own business only to be put out of business because of this law, which required all kinds of changes to her business that she could not afford.

John Drabinowicz, 8 Deerfield Avenue, said he looked at the law and it contains a lot of nasty stuff. It takes local control away from the Town and gives it to the State. One size does not fit all.

Frank Carpentino, Fire Chief, said the State Fire Code is the minimum State fire and safety regulation in the State. Hudson does not have the ability to decide whether or not they want to comply. The law says Hudson can *increase* the level to a local fire code, but they must meet the minimum standard set by the State. This is the minimum standard for the safety, health and welfare for the citizens of the State of NH. If the voters repeal this on March 9, the Hudson Fire Department will still enforce the State Fire Code. If this is to be repealed, it should be in Concord. If it's amended, the Town will adopt the amended fire code. If people don't like this, they should talk to the local legislative delegation and ask them to change it at the State level.

(Start Tape 5, Side A)

Marshall Bliss may have removed the Building Board of Appeals from the code, but there are at least three other appeals boards available: the BOCA Building Code, NFPA 1, and the BOCA Fire Prevention Code. He has testified in Concord against Representative Clegg's bill. A mistake was made in the Hinsdale matter that has been corrected. A new employee to the Marshall's office mistakenly wrote that letter, and it has been rectified. Telling people someone is going to come knocking on your door and telling you everything is wrong is a scare tactic. In the majority of cases where the Fire Department deals with single and two family homes, they are invited into the homes. For instance they want to put on an addition, open a day care, or do foster care. Once inside the home, they have a moral and legal obligation to address any concerns they see. That is the law. They have no legal authority to walk into your home and do inspections, other than an emergency or if they're invited on the property. He yielded to Attorney Ratigan to confirm what he said was correct.

Attorney John Ratigan confirmed Chief Carpentino's explanation was accurate.

Jim Rice, 28 Sunland Drive, supports the Fire Chief. He'd rather have a safe small business next to him than an unsafe one that might catch fire and burn down the whole neighborhood.

Jean Serino, 118 Robinson Road, said State law can be made more stringent, but they can't annihilate a State law. Her friend who is in a wheel chair worked in a factory as a boy, and there were no guidelines for fire prevention back then; he wishes there had been.

Todd Hansen, 11 Greentrees Drive, President of the Firefighters Union, said he's sympathetic to Mr. Clegg's problem about a lack of appeals process, but there is a bigger concern with regards to safety, if this article is adopted, affecting the vast majority of fire fighters that respond to emergencies on a daily basis in Hudson. Repealing the State Fire Code will compromise the safety of the fire fighters and of the general public. Regulations are in place to help ensure the safety of the general public and emergency services personnel, not to cause problems for the residents. Things like sprinkler systems and egress requirements are in place to insure safety, in the event of a fire. When a fire occurs, it's the fire fighters' job to go into that building to extinguish that fire. There's no way to tell when a building or a ceiling will collapse, or any other type of adversity might befall them. If this is repealed, the requirements will be repealed. Mr. Clegg has a problem with a specific area of the Fire Code, not the entire Code. A message should be sent to Concord not to repeal the entire Code.

Lisa Riley, 7 Jeanne Street, said it won't matter how they vote on this issue; the Town will still comply with the State Fire Code. She moved the question. Several people seconded the motion, which carried.

Several people called for a Point of Order. Selectman Jasper said Town Meeting has to send something to the ballot, but if they don't want to send it as worded, he asked if an amendment was appropriate. Assistant Moderator Arseneault said amendments should be made prior to the vote on the article.

Amendment by Selectman Jasper, seconded by Selectman Madison, to strike the word 'repeal' and inserting the word 'reaffirm.'

Ken Massey, 20 Fairway Drive, said this is another example of what a travesty Senate Bill 2 is.

Chris Landry, 25 Beechwood Road, asked if the Selectmen would change their recommendation if the amendment passed. Chairman Madison said yes, when the Board meets after Town Meeting.

John Drabinowicz, 8 Deerfield Avenue, said they have to send the article to the Warrant, regardless of the vote. Assistant Moderator Arseneault said it's a chance to amend a petitioned article. Selectman Jasper said when something goes to the Warrant, there's an implication that this body approved it. They have the opportunity, that if this body agrees with the Fire Chief and Board of Selectmen that this is not the thing to do, then the body has the opportunity to put its stamp on it.

Robert Clegg, 39 Trigate Road, asked the maker of the motion why he feared sending it to the voters if he was so sure that the people wanted to reaffirm. Selectman Jasper said everyone in Town had the opportunity to be here today, and in the past, this meeting has zeroed out warrant articles. There should be a designation that indicates either recommended or not recommended by Town Meeting. It goes forward with the implication is that the voters at the deliberative session didn't have a problem with it.

David Coleman, 11 Wagner Way, said the voters won't understand what they are voting on. Inserting the word 'reaffirm' is misleading the intent of the petition. He thinks the amendment should fail.

John Drabinowicz, 8 Deerfield Avenue, asked what the effect would be if the amended article is voted down. Selectman Jasper said it gives a sense to the Fire Chief and Selectmen there is a problem that needs to be looked at. It doesn't repeal it.

Ken Massey, 20 Fairway Drive, said over the last three years, Senate Bill 2 has created lots of unknowns and regardless of whether or not this article is adopted, as amended or not, it's moot because State statutes clearly say the Town must adopt the State Fire Code as a minimum standard.

John Drabinowicz, 8 Deerfield Avenue, moved the question. Selectman Jasper asked when does yes mean yes. Mr. Drabinowicz said when no means no. The motion was seconded and carried.

Vote on the amendment to change 'repeal' to 'reaffirm' carried by majority vote when the Assistant Moderator asked for a show of hands.

Jim Rice, 28 Sunland Drive, said the newspapers should do an article on this to make it understandable.

Assistant Moderator Arseneault asked for a show of hands on amended Article 42. Following the vote, he announced that the article is forwarded to the ballot, as amended.

The gavel was passed from Assistant Moderator Arseneault to Moderator Keenan.

Article 43 Administrative Review -- To adopt provisions of RSA 674:43, section III authorizing administrative review of amendments to existing site plans. (Recommended by the Selectmen.)

Selectman Jasper said the Selectmen felt that since this has the potential to speed up the process, they support it, but nothing can happen unless the Planning Board adopts the procedures.

Moderator Keenan asked for a show of hands on Article 43. Following the vote, he announced that the article is forwarded to the ballot.

Article 44 Animal Shelter Capital Reserve Fund -- To authorize the establishment of a capital reserve fund (pursuant to RSA chapter 35) to establish an Animal Shelter. The initial contribution to this fund shall be the \$60,000 appropriated at Town Meeting in 1994, 1995, 1996 and 1997 for the Animal Shelter, plus all interest earned to date. ~~And further, to appoint the trustees of the trust funds as agents to expend.~~ (In addition to Article 17, the operating budget). (Not recommended by the Selectmen; **Not Recommended** by Budget Cmt)

Ken Massey, 20 Fairway Drive, said this article was generated by the Trustees of the Trust Funds and he was speaking in that capacity. In 1989, the Town Council passed R89-14 that took the monies that had been collected by private citizens out of a general account and put them into a special savings account and effectively, creating a fund. In May '94, the Selectmen requested that the Trustees accept responsibility for the management of this fund, which they did. At that time, there was approximately \$52,000 in citizen-donated funds. In 1998, the Trustees, in their annual meeting at the State-wide Trustees meeting, were made aware of RSA 31:19 A Section IV, which says that private and Town monies may not be co-mingled and you may not put private monies into a capital reserve fund. On that basis, in May, the Trustees met with a representative from the Department of Charitable Trust in the Attorney General's Office, and they researched the records. The outcome was they had to separate the citizen-created monies from

the Town-appropriated monies; the wording of R89-14 was flawed and the capital reserve fund should not have been created. However, the representative felt that the intent to establish a capital reserve fund was clear in the 94 thru 97 Town Meetings by approving a \$15,000 appropriation each year. Had that intent not been established, in June of 1998, the Town-appropriate monies would have reverted back to the General Fund. The recommendation was that the Town correct the administrative oversight. At the time, they thought they were doing the right thing, but from a procedural prospective, they had not followed State statutes. In June, they informed the Selectmen by letter of the meeting with the Charitable Trust people and indicated that a warrant article would have to be enacted prior to the end of June 1999, or the monies would revert back to the General Fund. They took the private monies that had been created by citizens' involvement and separated it into a separate fund. As of 1/31/99 that total was \$66,024.52. In the Town's portion, the \$60,000 that was appropriated over four years, there's an additional \$13,000 in accumulated interest. As of 1/31/99 the Town has \$73,024.57. Regardless of what is done today on Article 44, the \$66,024 is reserved as a construction fund for an animal shelter. The only way those monies can be diverted for another purpose is for the Town to petition probate court to have the monies returned to the original donors. If they can't be found, then the monies will be used for a purpose similar to construction of an animal shelter. Today's vote does not change the purpose of the \$66,000. The Trustees felt that it was important that since the Town had voted to put in \$15,000 each year for four years, that they have the opportunity to make the determination as to whether or not a capital reserve fund should be created. The Trustees take no position on the matter. The article is to correct an administrative oversight. If the article passes, the monies will be put into a capital reserve fund; if the article is defeated, the \$73,000 plus any additional accumulated interest, will go into the general fund. However, the \$66,000 will remain and no action by Town Meeting is required, but it can only be used for the construction of an animal shelter.

Angela Hurshman, 20 Greeley Street, said the people already decided. They wanted money put into an account for an animal shelter. She understands errors happen, but it is not her fault or the fault of the Townspeople. She has been working for 13 years to have an animal shelter built. Unfortunately, the current elected officials were not in office when she started the process. To take away the money she's worked so hard for is an injustice. If the money isn't kept in the fund, it is going against the will of the people and it is letting the Selectmen do as they please. She didn't want to be bitter, but she was feeling a little testy this year, because she's worked so hard for so many years for this and now it might be gone. The people are in charge and the Selectmen are supposed to do the will of the people, not their own will and not to change the will of the people.

(Start Tape 5, Second Side)

Amendment by Howard Dilworth, made the following amendment, seconded by Ben Nadeau, to strike the language, "And further, to appoint the Trustees of the Trust Funds as agents to expend." He said Trustees don't build animal shelters, they maintain money. The issue is whether or not to have a capital reserve fund.

Ken Massey, 20 Fairway Drive, did not oppose the amendment.

Vote: By a show of hands, the amendment carried.

Selectman Jasper said the voters did appropriate the money for four years, but last year they were asked if they wanted to build an animal shelter, and the answer was no. The Selectmen are *not* going against the will of the people. The Selectmen give their recommendations, but in the end, the voters do what they feel is best. The Selectmen do not believe that having an animal shelter in Hudson is in the best financial interest of the Town. They'd rather see the money go back into the General Fund. He attended a meeting this summer about building an animal shelter that included people from the Nashua Humane Society. They didn't think Hudson could afford to have their own animal shelter. It costs about \$5 per person in Town to support a shelter, so for Hudson it's an annual appropriation of about \$100,000 a year. That's not prudent. The Town is currently sending the dogs to Pelham at \$60 a dog and most of them are adopted out. The Board of Selectmen's position remains that if someone else wants to run the shelter, that's great. But the wording says, "To direct the Board of Selectmen." Their job is to take care of the people of the Town of Hudson, and others can take care of the animals, if they so choose. He thinks it's time to put this issue to rest this year and say no again.

Angela Hurshman, 20 Greeley Street, said no one has given her a chance to show the people what it takes to run a Town-run animal shelter. Last year, she presented facts and figures of a Town-run animal shelter, not a humane society. The Nashua Humane Society stands to gain by saying it will cost \$100,000 a year to run a humane society. That is wrong. Town-run shelters cost between \$3,000 and \$5,000 a year to operate, including utilities and animal expenses, but does not include the salary of the Animal Control Officer. Since nobody has supported her petitions for the past eight years, she cannot come up with the figures, which is unfair to her.

Howard Dilworth, 36 Old Derry Road, said a procedural error made a few years ago improperly created a capital reserve fund. To correct the error, they should put the money into a capital reserve fund and *then* ask the voters to dissolve the fund. To just allow the money to lapse and revert to surplus is underhanded, sneaky and sleazy--and shame on the Selectmen for supporting that concept.

Jean Serino, 118 Robinson Road, agreed with Howard. Last year, the people did vote not to have an animal shelter, but they have the right to vote every year on any issue. A lot of people have worked very hard to figure out how to have an animal shelter in Hudson. They've been raising money for it for many years and money was voted on by the people at the time for a shelter. She thanked the Trustees for bringing this article forward.

Ken Massey, 20 Fairway Drive, said the error that occurred was not the fault of one person. A lot of other people assumed that the R89-14 created a capital reserve fund. It would have been very easy for the Trustees to say nothing and let the money lapse, but they felt an obligation to the Town because it had been voted on. The people should decide whether this money should remain for the intended purpose. The Trustees have taken no position on this article. That's for the Town to decide.

John Knowles, 51 Quail Run Drive, was disappointed that the Selectmen did not support this article. They should have put forth an article saying that the funds should be converted to some other purposes. It would have presented the issue for discussion. Once the clerical error is fixed, they have to resolve the animal shelter issue once and for all. A lot of work has been done by the people who would like to have an animal shelter, but there still isn't one. At that point, they should fish or cut bait. The advocates for the shelter should have a plan, including how to operate it. For now, they just need to correct an administrative error from the past.

Selectman Jasper was angry about a previous speaker accusing the Board of Selectmen of sleazy behavior. The same individual made a \$61,000 math error and refused to vote to correct it. The Board of Selectmen could not have put in an article to change the purpose of the capital reserve account because, legally, the fund did not exist. Their only option was to come forward with an article such as this, which they did not support. They did nothing improper nor attempted to cover up anything.

Joseph Wozniak, 7 Sycamore Street, said the issue is to move monies into a capital reserve fund and has nothing to do with an animal shelter. This is a housekeeping issue, as suggested by the AG's office.

Moderator Keenan said the subject matter in these last two articles have tied them up for years. He asked everyone to put aside personal feelings and to send these items to the ballot so the people can decide. There will be ample opportunity to express personal animosity, ill will and all sorts of other stuff between now and then, but he didn't want those types of expressions in this meeting. He asked if it was the will of the body to move the question. Selectman Jasper called for a Point of Order, saying he had the floor and the Moderator didn't have the right to take it away from him. The Moderator said he has the right to ask him to stick to the issue. (Talking over each other.) Selectman Jasper said he was sticking to the issue, because the issue was to establish a capital reserve account to build an animal shelter. Those questions cannot be separated. Now is the time to decide whether the Town wishes to build an animal shelter in the future or not. The people can say yes or no. There is no reason to put the money in and then come back next year and change the purpose. He wouldn't try to take anyone's right away, but people should make informed decisions. The Selectmen are not being underhanded.

Selectman Seabury moved the question, seconded by Frank Carpentino, and carried.

Moderator Keenan asked for a show of hands on amended Article 44. Following the vote, he announced that the article, as amended, is forwarded to the ballot.

Article 45 Construction of an Animal Shelter -- ~~Shall the people of the Town of Hudson direct the Hudson Selectmen to build and equip an Animal Shelter with the money (including interest) in the Animal Shelter account, using general animal shelter guidelines on town-owned land, or to modify existing town-owned buildings for an animal shelter according to general animal shelter guidelines? Shall the people of the Town of Hudson direct the Hudson Selectmen to put any remaining money into an account to be used for the Hudson Animal Shelter? To see if the Town will vote to authorize the Selectmen to appoint a committee of seven to develop a long-range plan to deal with Hudson's unwanted animal population. This plan to include possible sites for a shelter, initial construction costs and annual operating costs. Said committee shall also consider alternative methods of dealing with the animal population.~~ (Not Recommended by the Selectmen, nor by the Budget Committee).

Ken Massey, 20 Fairway Drive, said the monies that currently exist that are still legally intact and able to be used for building an animal shelter are sitting in an account that the Trustees of the Trust Funds manage and the total is \$66,024. There is no action required by the Town to expend that money because it is private monies. Therefore, any concerned citizens who wanted to build any animal shelter only need to put a plan together and present it to the Board of Trustees. If it meets the requirements of the original act that created the fund, they would be able to direct that money to them. There would not be any requirement for the group to ever have to come back before Town Meeting. However because there may ultimately never be an animal shelter, the AG's office advised them that it would be appropriate for the Trustees to work with the people who collected the money and try to identify the people who gave the money, and the amount they gave, and reimburse them. All the remaining monies would have to go to probate court and by a specific process, the court could direct the Trustees to redirect those monies to a different purpose. The general understanding is that general purpose would have to be something having to do with animals, such as to fund the running of an animal shelter.

Chris Landry, 25 Beechwood Road, didn't know if this was good for Hudson or not because he hasn't seen a plan and has heard it will cost anywhere from \$3,000 to \$100,000 to run. He'd prefer having something more concrete. They don't know what they'd be voting on.

The Moderator asked Angela Hurshman if she'd yield. Ms. Hurshman said someone is working on a plan. A quick estimate would be about \$100,000 to construct, without sewerage. The building is about 2,400 square feet, including animal runs, a dozen animal pens, one office and all the necessary equipment. The Animal Control Officer in Derry said it costs less than \$4,000 to run their 2,700 square foot shelter. The Moderator asked Ms. Hurshman if she would have a plan available to local newspapers so people can see what the plan is. Ms. Hurshman said as soon as it was ready, she would make it available to the local newspaper.

Fred Giuffrida, 14 Pinewood Road, encouraged the people in favor of this article to put together a presentation for the local paper that answers three questions: Why do we need to build an animal shelter? How much is it going to cost? What's the plan and what

do surrounding towns do?

Jean Serino, 118 Robinson Road, said she and the other people who love animals are like the Italian Parliament: they all want the same thing, but they can't agree on how to proceed. They have been looking at modifying the Kirby building, which is across from the Police Department and they have some rudimentary plans.

(Start Tape 6, Side A)

She invited anyone who wants to help out to see her or Angela. If they don't work together, they won't get anything done. Manchester has a wonderful shelter. Every little town has an animal shelter, even if it's a shack out in back of the police station. When Hudson had an animal shelter, Lisa ran it very well. They took care of cats, parrots and everything else. Hudson should be taking care of their own old people, children and animals as part of the social contract, adding that if she sounds like a Democrat, it's because she is one.

Chairman Madison said concerning the private monies that was mentioned, if a donor can identify their donation, they only have to ask to have their monies returned. On September 8, 1998 a donor requested to withdraw their money. It has to go to probate court when the monies can't be identified. Then the money may be used for any charitable purpose. It does not have to be used for animals. Regarding the article, she is very opposed to an animal shelter. It is just not economically feasible. She can't vote for an animal shelter when the Town needs a new library and a new school. From 1993 through February 1999, the Town has spent only \$8,370 to take care of the animals. It would cost thousands more to run an animal shelter.

Ken Massey, 20 Fairway Drive, said he has a letter from the Attorney General's Office dated January 5, 1999 and quoted, "The \$55,000 in private donations are not subject to a vote of Town Meeting. The jurisdiction for disposition of these funds rests with the Hillsborough County Probate Court under the doctrine of cy pres unless the original donors can be identified by the Trustees of the Trust Funds. It's the Trustees of the Trust Funds who own the responsibility to identify these donors. Since it appears the Town of Hudson will not be building an animal shelter, every effort should be made to contact original donors, not their heirs or relatives. The donor may 1) request a refund of the original donation, or 2) specify a new charitable purpose for the fund. If after identifying all known donors, the Trustees find there are private funds remaining in their custody for whom donors are not known, then it will be necessary to file a petition for cy pres with the Hillsborough County Probate Court. The petition will set forth circumstances under which it is impossible to carry out the wishes of the original donors and will request the funds to be used for a purpose as closely related as possible to the original intent of the gift." The \$66,000 are private monies and not subject to Town action, regardless of what happens with this article. The monies are to construct an animal shelter and until the Trustees have determined that's not going to happen, the monies will stay there and draw interest.

Amendment by Selectman Jasper, seconded by Joseph Wozniak: "To see if the Town will vote to authorize the Selectmen to appoint a committee of seven to develop a long-range plan to deal with Hudson's unwanted animal population. This plan to include possible sites for a shelter, initial construction costs and annual operating costs. Said committee shall also consider alternative methods of dealing with the animal population."

Selectman Jasper said Article 45 is identical to last year's Article 46 and, at that time, Attorney Ratigan said if it goes to the ballot as written, it does not obligate the Selectmen do to a thing. Unless the article is amended to show a specific dollar amount, it's advisory only. There are not enough private funds to build a shelter. Additionally, the Selectmen can't be directed to do this. They have repeatedly told the people who are interested in this to form a committee and come up with a plan. The Selectmen are not going to do it for them. He doesn't believe an animal shelter is financially suitable or reasonable. The unamended article does nothing to further their cause.

Vote: Amendment carried by a show of hands.

Kevin McGuire, 148 Robinson Road, said because of the Circumferential Highway and other issues, Hudson's shelter no longer exists. Hudson has a need for sheltering its animals and he believes the discussions of the last couple of years, and of the past 45 minutes, makes too many assumptions.

The Moderator asked about the makeup of the committee. Selectman Jasper said the Board of Selectmen is the appointing authority and the number will be seven. It would be up to the Board if a Selectman wanted to be a part of the committee. They will take applications and interview, as they do for Nominations and Appointments.

Moderator Keenan asked for a show of hands on amended Article 45. Following the vote, he announced that the article, as amended, is forwarded to the ballot.

The Moderator thanked everyone for attending, saying he appreciated their commitment to the Town.

10. ADJOURNMENT

Motion to adjourn at 3:15 by Shawn Jasper, seconded by John Drabinowicz, carried by majority vote.

Recorded and Transcribed by Priscilla Boisvert

Executive Assistant to the Board of Selectmen

Cecile Nichols

Town Clerk/Tax Collector