

HUDSON BOARD OF SELECTMEN

Minutes of the December 8, 1998 Meeting

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 7:42 p.m. (Attorney-Client Session, 7:00 -7:42 p.m.)

2. **PLEDGE OF ALLEGIANCE**, led by Selectman Shawn N. Jasper

3. **ATTENDANCE**

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

Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Attorney John Ratigan; Donna Lolos, Library Director; Lisa Riley and Arlene Creeden, Library Trustees; Richard Gendron, Chief of Police; Police Capt. Ray Mello; Coleman Kelly and Steve Boucher; Howard Dilworth; Nancy Regan; Lenny Smith; Terry McLlarky; Ken Shepard; Denis Robinson; Tim, SUN

4. **PUBLIC INPUT** (There wasn't any.)

5. **CORRESPONDENCE RECEIVED**

A. FROM: Highway Safety Committee

RE: 098-06 Ordinance Establishing Stop Sign on Lund Drive

REFER TO: New Business

B. FROM: Mike Gospodarek, Town Engineer

RE: Street Acceptances (Crestwood Drive & Applewood Drive)

REFER TO: New Business

C FROM: Frank Carpentino, Fire Chief

RE: Acceptance of a Donation

REFER TO: New Business

D. FROM: Jim Michaud, Assessor

RE: Various Assessing Items

REFER TO: New Business

E. FROM: Cable Committee

RE: Various

REFER TO: New Business

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

6. **NOMINATIONS & APPOINTMENTS**

A. Building Board of Appeals (2 Members, terms to expire 12/31/01)

B. Conservation Commission (3 Members & 1 Alternate, terms to expire 12/31/01)

James Battis (Member Incumbent)

Michelle Champion (Member Incumbent) (Unable to attend due to a previous commitment.)

Barbara Ann Hansen (Member Incumbent)

David DeGroot (Alternate Incumbent)

None of the applicants to the Conservation Commission were present.

C. Nashua Regional Planning Commission (1 Member & 1 Alternate, terms to expire 12/31/02)

Lenny Smith (Member Incumbent) said he has contributed a lot to the Town by serving on the Planning Board for many years, and on the NRPC and his association with State, County and local government qualifies him to represent the Town and the Planning Board at the NRPC. At a meeting on Thursday, they will be discussing the 10-year plan, which staff should attend. He knows the infrastructure of the Town and can contribute to the advantage of the Town because of his knowledge.

Denis Robinson (See Planning Board)

D. Planning Board (2 Members & 1 Alternate, terms to expire 12/31/01)

Denis Robinson grew up in Hudson, went away to college, moved to NY, came back to NH, went to law school, married his high school sweetheart, also from Hudson, and now they live here. He does litigation and real estate work and is familiar with land use laws. Selectman Stewart invited him to the Planning Board meeting tomorrow night. (Interviewed earlier because he had to leave at 8:00.)

Lenny Smith (Member Incumbent) (See NRPC)

Brent McLaughlin (Alternate applying for Member position)(Not present, due to a meeting at Alvirne.)

Charlene Provencal (Alternate Incumbent) (Was not present because she was at the Chamber auction, with proceeds going to the needy.)

Jeff Rider (Unable to be present.)

E. Recreation Committee (1 Member and 1 Alternate, terms to expire 12/31/01)

Gail Michailides (Alternate Incumbent applying for Member position)(Not present.)

F. Sewer Utility Committee (2 Members, terms to expire 12/31/01; 1 Member, term to expire 12/31/99. Only one member may be a non-sewer user.)

Terry McLlarky (Member Incumbent) enjoys serving on the committee and would like to be reappointed. There are some projects coming up that he'd like to be a part of.

Howard Dilworth (Member Incumbent) has been a member for a year and, prior to that, the Selectmen's liaison. A lot of work has gone into establishing a standardized accounting

process for rate-setting. The budget is adopted annually, but they project five years out so they can determine the rate. A number of technical issues are coming up, including revising Ordinance 77 to stay current with Nashua, because Hudson owns 12-1/2% of the treatment plant. He said awhile back, the Board asked him to apply to this committee because of his interest and knowledge on the on-going issues, and he'd like to continue serving. He thinks it's important for people with intricate knowledge of Town issues to be on various committees because they understand the issues.

Rhona Charbonneau, the Selectmen's liaison, wants to be a member in order to have a vote.

Raymond G. Morse (Not present.)

David Tanguay (Not present.)

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

H. Zoning Board of Adjustment (1 Member & 2 Alternates, terms to expire 12/31/01)

Frank Carr (Member Incumbent) (Unable to be present, due to a prior commitment.)

Jeff Rider (Unable to be present.)

Denis Robinson (See Planning Board.)

Chairman Madison said the appointments would be made on December 22.

7. OLD BUSINESS

Acquisition of Lowell Road Right-of-Way

The Town Administrator referred to Attorney Ratigan's memo, which outlines the process for eminent domain acquisition of right of way. The layout plan was displayed on the wall. The Board needs to authorize an appraiser to determine the value and to set a public hearing for consideration of eminent domain proceedings. Attorney Ratigan's recommendation was Don Spring, who has done work in other municipalities and has a good reputation with experience in eminent domain work and is familiar with the properties in Hudson. Selectman Jasper asked if total cost figures would be available at the hearing. Paul said a summary would be.

Motion by Selectman Stewart to accept Attorney Ratigan's recommendation as the appraiser, Don Spring, seconded by Selectman Jasper, carried unanimously.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to schedule a public hearing for January 26, 1999 to consider eminent domain carried unanimously.

(Start Tape 1, Second Side)

8. NEW BUSINESS

A. Public Hearing/Board Action on 098-06 Ordinance Establishing Stop Sign on Lund Dr.

Chairman Madison opened the Public Hearing at 8:12 p.m. and asked if anyone wished to speak. There was no response, so she closed the hearing.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to adopt 098-06 carried 5-0.

B. Public Hearing/Board Action on Street Acceptances**Crestwood Drive and Applewood Drive**

Chairman Madison opened the public hearing at 8:13 p.m. and asked if anyone wished to speak. There was no response, so she closed the public hearing.

Motion by Selectman Jasper, seconded by Selectman Stewart, to accept Crestwood Drive and Applewood Drive, as recommended by Town staff, carried 5-0.

C. Acceptance of a Donation to the Fire Department of an emergency response kit, valued at \$175, from MacDuffie Oil

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

D. Warrant Articles**1) Salary Increase of 5% for Library Employees (\$18,660)**

Motion by Selectman Jasper, seconded by Selectman Seabury, to send to the Warrant carried unanimously.

2) Land Purchase for future Library (\$200,000)

Lisa Riley said the \$200,000 is to purchase two parcels. She has been actively negotiating with the property owners. Next year, she may be asking for \$100,000 or \$200,000 more, depending on how negotiations go. Chairman Madison asked if that would be enough land to do a library if they can't get more land. Lisa said probably not, but there is the option of taking it. Chairman Madison asked if they'd considered the property near Alvirne that they're hoping to put the new school on. Lisa said that's not viable because it is too far from the center of Town. Selectman Jasper said the Board, at an earlier meeting, committed to supporting the present location, even if it meant eminent domain.

Motion by Selectman Seabury, seconded by Selectman Jasper, to send to the Warrant carried unanimously.

3) DPW Facility (\$950,000)

"Shall the Town of Hudson vote to appropriate from the ~~1997-1998~~ 1998-1999 unencumbered budget surplus the sum of \$950,000 for the construction of a public works ~~garage~~ facility?"

Motion by Selectman Stewart, seconded by Selectman Jasper, to approve the corrected warrant article carried unanimously.

4) Benson Property

This warrant article asks the Town to raise and appropriate \$50,000 to be added to the existing capital reserve fund for the purchase and renovation of the former Benson's property, and to authorize the withdrawal and expenditure of up to \$100,000 for that purpose.

Motion by Selectman Stewart, seconded by Selectman Jasper, to approve the warrant article carried unanimously.

5) Authorization to sell Town-Owned Land

Paul said the Board received Town Meeting approval to sell tax-deeded property, but not public property. Selectman Jasper didn't think it was necessary to draft such an article. If they have something they want to sell, they can wait a year. Atty. Ratigan said the Unicorn property was not taken by tax deed and asked if the Town gave authorization to sell the balance of the Unicorn property. Selectman Jasper said they have time to do that at the next meeting. Paul suggested they act affirmatively on it now, and they can always negate that action at the next meeting.

Selectman Jasper said if they do not have authority to sell the land known as Unicorn Park beyond June 30, 1999, he would move they send to warrant an item asking for further authorization for just that property. Motion was seconded by Selectman Stewart. Motion carried unanimously.

6) Hydrogeological Evaluation of Landfill on Burns Hill Road (\$60,000)

Motion to approve the article by Selectman Stewart, seconded by Selectman Seabury, carried unanimously.

Paul said they've had discussions with the abutters of the old Burns Hill landfill and they need an agreement to purchase a modest amount of property adjacent to the landfill, and to protect the Town's interest, a fairly substantive geotechnical project with GZA.

7) Purchase of Property abutting Landfill on Burns Hill Road (\$40,000)

Motion by Selectman Jasper to send to the warrant, seconded by Selectman Stewart, carried unanimously.

8) Rescinding Bond Authority--Friary

Motion by Selectman Jasper, seconded by Selectman Stewart, to send to the warrant carried unanimously.

9) Rescinding Bond Authority--Water Co.

Motion by Selectman Jasper, seconded by Selectman Stewart, to send to the warrant carried unanimously.

10) Current Use Monies to buy Development Rights or Property

Selectman Jasper said he'd like to see an article to put current release monies into a fund to be used to buy development rights or parcels of land. The Town gets between \$15,000 and \$30,000 a year they get from land use releases, adding that a number of towns do that. They would need authorization to spend it in future years. Chairman Madison recognized Howard Dilworth, who said a number of towns are putting the money into the Conservation Fund. Selectman Jasper didn't want to do that. Atty. Ratigan said Planning staff could find out how it's being done in other towns. Writing the warrant article would be simple.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to write a warrant article that would place all the current use penalty money into a fund to be used for the purchase or development rights of land in the Town of Hudson, carried unanimously.

E. Assessing Items

1) Current Use Lien Release, Map 23, Lot 17-3

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

(Start Tape 2, Side A)

2) Tax Abatement and Credits

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

3) Elderly Exemption, 6 Dumont Road, Pierre R. Hickey

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

4) Abatements--Woodland Estates Subdivision & HSWY Real Estate Trust

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

5) Abatements--Reeds Brook Subdivision and Sousa Realty & Development

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

6) Abatement Application, 6 Dumont Road, Pierre R. Hickey

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

F. Neighborhood Police Offices (Fox Hollow and Wal-Mart)

Fox Hollow. Chief Gendron came forward, who yielded to Capt. Mello, who said they are ready to open the Fox Hollow office. The computer and phone lines are in. The Elmwood office is successful and expect the same results at Fox Hollow. Selectman Jasper asked about access to Lowell Road. Capt. Mello said for the time being, it would from the back, not from Lowell Road.

Ken Shepard, representing Fox Hollow, said during the summer, there were minor problems with prowlers and speeders. Some of the residents were upset because they heard that the Police Department was coming in and taking over the clubhouse. About three weeks ago, a meeting was held to explain what was being proposed. Out of 240 units, approximately 15 residents attended.

Selectman Seabury asked how the offices were manned. Chief Gendron said officers are

assigned to sectors one, two or three. A neighborhood office gives them the ability to make phone calls or type up a report instead of driving all the way back to the station. Each shift will have a specific half hour block of time that the officer will be there, so if a resident wants to talk to them about an issue, they can. Selectman Jasper wondered how they could do that, given the nature of their work. Capt. Mello said they hoped to give those calls to another officer, unless it's a catastrophic event.

Motion to approve the neighborhood police office at Fox Hollow by Selectman Jasper, seconded by Selectman Seabury, carried unanimously.

Wal-Mart. Chief Gendron said they've been trying to open up a sub-station since March '97, which is geared toward a business environment instead of neighborhood office. Hudson Wal-Mart is one of the busiest stores in New England, with a lot of incidents occurring. The store will supply the computer, phone lines, fax machine, copy machine, signage, and anything else they need. For now, the office will be located in the Manager's office in the back, with hopes of moving it to the front of the store for more visibility. Wal-Mart will also get a half hour on 1st and 2nd shifts. Chief Gendron said Sector Three runs from Wason Road to the whole south end.

Motion to approve the neighborhood office at Wal-Mart by Selectman Stewart, seconded by Selectman Jasper, carried unanimously.

G. Cable Committee

1) Franchise Agreement Extension

Motion by Selectman Jasper, seconded by Selectman Stewart, to sign the agreement, which runs till the first week in April, when it is returned from Harron, carried unanimously.

2) Cablecasting Arrangements for Town Meeting

Motion by Selectman Jasper, seconded by Selectman Stewart, to try for a live broadcast and, barring that, videotaping it for later broadcast carried unanimously.

3) Cablecasting Equipment for Town Hall

Coleman said the committee is prepared to release the equipment specs and will advertise to see if anyone else is interested. They've received proposals from Great Northern--Concord; Video Lab--Manchester; Northeast Audio Visual--Bedford; Crimson Tech--Cambridge; and HB Communications-CT.

H. Set BOS Meeting Schedule for 1999

Motion by Selectman Stewart, seconded by Selectman Seabury, to keep the Board's schedule as the second and fourth Tuesdays of the month carried unanimously.

9. OTHER BUSINESS

Motion by Selectman Jasper, seconded by Selectman Stewart, to instruct their representative to the Budget Committee to vote "No" on the proposed new elementary school carried 3-2. Selectmen Madison and Seabury were opposed.

Selectman Seabury said the Budget Committee has been cutting the School budget because it was up about

17%. The School is starting to worry about programs. She voted against some smaller things and in favor of two roofs, a couple teachers positions for 4th and 5th grades and either modular classrooms or an area for the two new teachers, without getting direction from the Board, but she abstained on the school issue.

10. LICENSES AND PERMITS

Hawker-Peddler Permit for Michael Roy to operate a Canteen Truck in Hudson Industrial Park

Selectman Charbonneau questioned the wisdom of approving these licenses when businesses in Town pay taxes and asked how they know if they conform to the laws. Chairman Madison said the records are on file and available for tracking and he is licensed by the State.

Motion to approve by Selectman Jasper, seconded by Selectman Seabury, carried 3-2. Selectmen Stewart and Charbonneau were opposed.

11. ACCEPTANCE OF MINUTES

A. Minutes of the BOS Meeting of November 13, 1998

B. Minutes of the BOS Meeting of November 17, 1998

C. Minutes of the BOS Meeting of November 24, 1998

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

12. COMMITTEE ANNOUNCEMENTS

12/09/98 7:00 Planning Board in the P/Z Mtg. Rm.

12/9/098 7:30 Budget Committee in the BOS Mtg. Rm.

12/10/98 7:30 ZBA in the P/Z Mtg. Rm.

12/15/98 7:30 Budget Committee in the P/Z Mtg. Rm.

12/16/98 7:30 Budget Committee in the P/Z Mtg. Rm.

12/17/98 7:30 Budget Committee in the P/Z Mtg. Rm.

12/21/98 7:30 Library Trustees in the BOS Mtg. Rm.

12/21/98 7:30 Conservation Commission in the P/Z Mtg. Rm.

12/22/98 7:30 BOS in the BOS Mtg. Rm.

There was no change to the listing.

13. REMARKS BY THE SELECTMEN

Rhona Charbonneau said Public Works did a great job on Library Park. It's beautiful, especially the gazebo.

Terry Stewart said the date has been set for October 16, after Harvest Fest, and she got her dress.

Ann Seabury said one of the Budget Committee's public hearings was scheduled for Civil Rights Day, but

that is because they were up against a deadline and that was the last day they could hold it. The budget process took longer than expected because there was so much cutting to do on the School budget.

(Start Tape 2, Second Side)

E. Lorraine Madison thanked Police Officers Connor and Bianchi for their recent prompt, courteous assistance to her.

14. NONPUBLIC SESSIONS

Motion by Selectman Stewart, seconded by Selectman Jasper, to enter 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 91-A:3 II (b)The hiring of any person as a public employee carried 5-0 by roll call vote.

Nonpublic Session was entered into at 9:05 p.m. and was terminated at 9:35 p.m.

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

Votes taken in open session:

A. Motion by Selectman Stewart, seconded by Selectman Jasper, to authorize the Zoning Administrator to advertise for a Building Inspector/Health Officer, carried unanimously.

B. Motion by Selectman Jasper, seconded by Selectman Stewart, to change the position of Receptionist at the Hudson Police Department to Dispatcher carried unanimously.

C. Motion by Selectman Stewart, seconded by Selectman Jasper, to hire Michelle Carpentiere as Dispatcher in the Hudson Police Department, at \$12.08 per hour, effective 12/27/98, carried unanimously.

D. Motion by Selectman Stewart, seconded by Selectman Jasper, to authorize Road Agent Kevin Burns to advertise for a part-time Receptionist carried unanimously.

15. ADJOURNMENT

Motion to adjourn at 9:40 by Selectman Jasper, seconded by Selectman Charbonneau, carried unanimously.

Recorded and Transcribed by Priscilla Boisvert

Executive Assistant to the Board of Selectmen

HUDSON BOARD OF SELECTMEN

E. Lorraine Madison, Chairman

Rhona Charbonneau

Shawn N. Jasper

Ann Seabury

Terry Stewart