

HUDSON BOARD OF SELECTMEN

Minutes of the July 28, 1998 Meeting

1. **CALL TO ORDER** by Vice-Chairman Stewart at 7:30 p.m.

2. **PLEDGE OF ALLEGIANCE**, led by Selectman Rhona Charbonneau

3. **ATTENDANCE**

Selectmen: Terry Stewart, Rhona Charbonneau, Shawn N. Jasper and Ann Seabury (E. Lorraine Madison was on vacation.)

Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Steve Malizia, Finance Director; John Drabinowicz; Office Kevin Sullivan and Dido; John Beike; Steve Boucher; John Knowles; Steve Middlemiss and son; Coleman Kelly; Howard Dilworth; Tim, SUN; Fidele, HLN

4. **PUBLIC INPUT**

1. **Coleman Kelly, 9 Rita Avenue -- Sewer Extension** Coleman said the Planning Board recently approved developments at Pete's Gun Shop, adjacent to St. Kathryn's church and across from the Chiropractor's office. Down the street from that, Friel is planning a sports facility. The common thread is the development is contingent upon the use of a septic system. Septic systems are totally dependent upon a properly sized and designed field for the anticipated usage and a properly built and used system. Anything that will impede or restrict the microbiologic process should not be used, such as the use of high phosphates or greases. If all of the qualifications are not adhered to, the consequence possible contamination of the groundwater system. Just to the south of those sites, there are 141 acres of contiguous properties for sale, which is within the catchment of Limit/Davenport brook. If the estimated construction costs of the septic systems needed for the aforementioned sites were applied to a sewer plan, the current terminus at Sprague Drive and Lowell Road could be extended to this area, along with a needed pump station. Septic systems with a statistical life of 20 years, (if all conditions previously mentioned are met), against a sewer system of a statistical life of 50 years, and three sewer systems versus septic systems will remove from jeopardy the ground water. He hoped the poor experience of one pumping station in Town wouldn't negatively color the Board's opinion for others in the future. He asked the Board to encourage the developers of the aforementioned property to move on a sewer plan. "Many would win with that, not the least of which is the groundwater of which the future needs of this Town will have to one day be forced to satisfy."

2. Howard Dilworth, Jr., 36-A Old Derry Road -- Site Plans for Town Facilities -- Howard said two weeks ago, the Board discussed a request by the Fire Department to build a storage facility on Town-owned land and that they would first have to have a site plan review by the Planning Board. He said "Bravo" to that because site plans serve as a reference as to what will be placed where on a piece of land. This becomes very important when there are questions as to exactly what was decided. He hoped that this request was motivated by earlier items which should have had a site plan, and possibly still do not. He reminded the Selectmen they voted to have a site plan done for the Senior's building at Lions Hall. If they did have one, it could be used to illustrate where campaigning may be done as part of the election by-laws that the Town is working on--adding that the State Primary Election is six weeks away. Recently, the Town held a dedication at Merrifield Park. The final result of the park is nothing like the proposed plan that was shown to the Selectmen and the Planning Board. He wondered if there was going to be an emergency boat landing at the end of Winnhaven Drive and, if so, it should have a site plan. For several years, they were told a parking lot was a must at Robinson Pond, but now it is to be a ball field. He asked what is the impact was to the lot relative to this change of use. A site plan review would record all of this data. And there should be a site plan for Library Park. Recently, the trolley stop was painted to match the gazebo. He wondered if anyone first checked the history of the trolley stop. If so, it would not have been painted. He asked the Board of Selectmen to adopt an official policy that all Town-owned facilities must have a site plan and go through the Planning Board review process prior to any major change. He also requested that they not just vote for policy, but also develop a plan to ensure that the process is completed. "Good record keeping demands it."

5. CORRESPONDENCE RECEIVED

A. From: Richard Gendron, Chief of Police

Re: Acceptance of Donations (Includes Public Hearing)

Refer to: New Business

B. From: Steve Malizia, Finance Director

Re: Voter Checklist Fee (Includes Public Hearing)

Refer to: New Business

C. From: Anthony Basso, Hayner/Swanson; Mike Reynolds, Town Planner

Re: Sidewalks at Musquash Road

Refer to: New Business

D. From: Sewer Utility Committee

Re: Sewer Acceptances

Refer to: New Business

E. From: Jim Michaud, Assessor

Re: Various Items

Refer to: New Business

F. From: Bell Atlantic

Re: Licensing of Telephone Pole

Refer to: New Business

G. From: Coleman Kelly, Cable Committee Chairman

Re: Cable Television Franchise Transfer

Refer to: New Business

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to receive the Correspondence, A-G, with appropriate referral carried unanimously.

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

7. NEW BUSINESS

A. Public Hearing/Board Action on Acceptance of Donation of two PC's and 50 trigger locks by the Nash Group to the Police Department and \$1,000 by Green Meadow Golf Course to the K-9 Unit

Vice Chairman Stewart opened the public hearing at 7:40 p.m. and asked if anyone wished to speak.

Sgt. Al Semple apologized that Chief Gendron was unable to be present. He said the donation from the Nash Group of the PC's and trigger locks are valued at about \$3,250. The PC's will

be used for the proposed Police sub-stations.

Officer Kevin Sullivan distributed "Dido" and "Nikor" K-9 coloring books to the Selectmen, created by the Alvirne Graphic Arts class. There will be 1,000 of the books made up, which he and Officer Scanzano (and Nikor) will distribute to the kids when they do demos at special events, such as Old Home Days. They have also come up with a washable tattoo, depicting a dog and the words "Hudson K-9 Police," like the one the Lowell PD is using. They will have 5,000 of them made up for distribution, a good public relations tool. JR's will give them a discount rate on crayons. The cost for the coloring books, crayons and tattoos is about \$1,000 the amount which Green Meadow is donating. He noted that the names of the students who wrote the stories and drew the pictures in the coloring books were listed on the back pages.

There being no further speakers, Vice Chairman Stewart closed the public hearing at 7:45 p.m.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to accept the donations, with thanks, carried unanimously.

Selectman Jasper asked what the plan was for the trigger locks. Sgt. Semple said they would be distributed to PD employees.

B. Public Hearing/Board Action on Voter Checklist Fee (\$7 for Diskette)

Vice Chairman Stewart opened the public hearing at 7:45 p.m. and asked if anyone wished to speak.

John Knowles, 51 Quail Run, said he's the one who raised this issue and would answer any questions anyone had. He suggested that the Selectmen also check out the actual costs for a paper copy of the checklist, which currently carries a fee of \$25.

John Drabinowicz, 8 Deerfield Avenue, said he and Mr. Knowles rarely agreed, but in this matter, he concurs with Mr. Knowles. State law gives guidance relative to setting fees and \$25 for a computer disk of the checklist is highly over-priced. He urged the Board to lower the cost.

Vice Chairman Stewart closed the public hearing at 7:47 p.m.

Motion by Selectman Seabury, seconded by Selectman Jasper, to establish a fee of \$7.00 for a diskette copy of the Hudson voter checklist carried unanimously.

Motion by Selectman Seabury, seconded by Selectman Jasper, to refund \$18.00 to John Knowles for the June 11, 1998 checklist carried unanimously.

C. Sidewalks at Musquash Road

Town Administrator Paul Sharon said this item was referred to the Planning staff for a recommendation. Town Planner Mike Reynolds indicated three options. A & B indicate a specific location for the sidewalks and, of those two options, he recommends A. In addition, Mr. Sousa offered a third option, i.e., to put in the equivalent length of sidewalk (about 400') at some other location. For example, it could be to finish up linkage on Route 102.

Motion by Selectman Jasper, seconded by Selectman Seabury, to opt for the third option, to have the equivalent length of sidewalk put in at another location, carried unanimously.

Tony Basso, from Hayner/Swanson, asked for direction on where the Board would like the sidewalk located, adding that they've been waiting for that direction for two years. Paul said Mike Reynolds suggested a section of Route 102, from Evergreen to Marsh. They were unable to get funding for this sidewalk. Selectman Jasper said they may have to coordinate with the State on this.

Motion by Selectman Jasper, seconded by Selection Seabury, that the sidewalk be placed between Evergreen and Marsh carried unanimously.

D. Sewer Acceptances

1) Thurston's Landing, Map 21, Lot 4

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to accept the sewer carried unanimously.

2) Reeds Brook Subdivision, Map 23, Lot 74

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to accept the sewer carried unanimously.

E. Assessing Items

1) Veteran's Tax Credit Application (Ernest Jablonski, 5 Wagner Way)

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

2) Hamel Tax Abatements, Map 9, Lot 3

Paul explained that this was not Hamel property, but Town property. They were, essentially, abating themselves.

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

F. Licensing of one new Telephone Pole on Speare Road

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to approve the request, which has been reviewed by staff, who have no issues with it, carried unanimously.

G. Cable Television Franchise Transfer

Vice Chairman Stewart recognized Coleman Kelly, Chairman of the Cable Committee, who was present to ask the Board to sign a request to once again extend the cable franchise. Harron has agreed to an additional evaluation of time, i.e., September 4. The current extension from Americable on the franchise agreement is due to expire, so that will have to be renegotiated. He has prepared a cover letter and an agreement for the Board's signature that he asked them to execute and send to Mr. White for his signature and then return it to the Town. There is a discontinuity in the extension granted by Harron of the 4th of September and his recommendation of the extension to the 18th of September in order to give them some time to enter into discussions with Harron. Paul asked if Merrimack and Milford have granted the same extension. Coleman said all six towns have been granted an extension for '394

action until 9/4: Merrimack, Milford, Amherst, Litchfield, Hudson and Wilton.

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to extend the current extension to September 18, 1998 carried unanimously.

8. OTHER BUSINESS

A. Ordinance governing Political Activity at the Polls

Selectman Jasper said they need to draft the ordinance to govern activity regarding campaign material at the elections. The Primary will be here before they know it, so they have to quit dragging their feet. Paul said the Attorney has it. Selectman Jasper said they were given the ability to limit the distribution of campaign material within a certain number of feet of Lion's Hall, but they haven't done anything with that. Selectmen Charbonneau and Seabury thought something was already months ago. Selectman Jasper said the Town Charter specified 100' and the Moderator uses bravado to enforce that non-existent provision. He said one day he and Paul can go out and actually measure it--perhaps next week. Paul agreed, saying he will ask Attorney Ratigan where he was on that.

B. Site Plans needed on Town Properties

Selectman Jasper said Selectman Dilworth was correct in saying the Town has not been consistent in seeing things through on site plans. He mentioned the gazebo. Selectman Seabury said she gave the Planning Board a plan. Selectman Jasper said there wasn't a plan when the ball field went in at Robinson Pond. He asked Paul the status of the Lion's Hall plan, which they've been waiting for for several years. Paul will check with the Planner.

C. Raffle Permit Requests

1) Motion by Selectman Charbonneau, seconded by Selectman Seabury, to approve the request by St. John's Women's Guild to raffle off a hand-made quilt on November 7, 1998 at St. John's church hall, with ticket sales to begin in August carried unanimously.

2) Motion by Selectman Charbonneau, seconded by Selectman Seabury, to approve the request by Hudson Democratic Committee to raffle off a quilt/afghan to take place during Old Home Days, August 14 - 16, 1998 carried unanimously.

D. Part-Time PC Technician in Police Department

Motion by Selectman Seabury, seconded by Selectman Jasper, to authorize the Chief of Police to begin the process to hire a part-time PC Technician in the Police Department that was approved by the voters carried 3-0. Selectman Charbonneau abstained.

Selectman Jasper referred to his Annual Report and said the request was for a Clerk not a PC Technician; Selectman Charbonneau concurred. Paul said he knows what position the Chief has in mind. However, it won't do significant harm to wait a couple weeks to have Chief Gendron present, as this request is only to advertise. Selectman Charbonneau said it has to be advertised the right way.

Motion by Selectman Jasper, seconded by Selectman Seabury, to reconsider the action whereby they approved the hiring of a part-time PC Technician carried unanimously.

9. LICENSES AND PERMITS

A. Outdoor Gathering Permit Request by Kiwanis for Old Home Days, August 14-16

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

B. Request by Baldy's Bargains Unlimited for a License to purchase Scrap Metals

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

10. ACCEPTANCE OF MINUTES

Minutes of the July 14, 1998 BOS Meeting

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to accept the Minutes, as presented.

and refer to file carried unanimously.

11. COMMITTEE ANNOUNCEMENTS

7/29 NRPC Special Meeting

7/31 1:00 p.m. Ribbon Cutting Ceremony @ Cash Converters, Derry Street

8/01 West Road landfill open, 8 - 2

8/05 7:00 Planning Board Workshop, P/Z Mtg Rm

8/06 7:00 Cable Cmt Mtg, Small Conference Room

8/11 7:30 BOS Mtg in Selectmen's Mtg Rm

There were no changes to the listing.

12. LIAISON REMARKS

Selectman Charbonneau said everything seems to be alright with Susan Snide's area. She plansto talk with Mike Gospodarek next week, and she has discussed Thurston's Jump with Gary Webster, adding that they do not want to accept Thurston's Jump as part of any land exchange.

Selectman Jasper said there's nothing to report from the meetings he's had with the department heads he is liaison to.

Selectman Seabury said the meetings she was to have attended were all canceled.

Selectman Stewart said the Fire Department went to look at the new fire truck that should be here in a couple weeks. Last week's Planning Board meeting was an entertaining evening.

13. REMARKS BY THE SELECTMEN

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Selectman Charbonneau said at 2:00 p.m. on Thursday, she's meeting with the former lion tamer at Benson's. He and some other people want to donate some memorabilia for the museum, such as pictures,

clothing, equipment, etc., but the Town doesn't own the land yet. Another individual used to train seals, and he'll donate all of his equipment. She thought these were nice things to have, adding that they will talk only with her.

Selectman Jasper said they were given copies of a letter from the Historical Society relative to the trolley stop and he hoped they would consider it and discuss it in the future, but at the next meeting, he'll be sweltering in Ft. Worth, Texas.

Paul said the Highway Department has taken a lot of hits over this, but not enough people are giving them credit for having the initiative to do it. He hoped that once this gets brought back to the point the Historical Society wants it, he hoped cold water isn't thrown on Kevin and his men, since they were trying to do something good for the Town. Selectman Jasper said the Society appreciated the work the Highway Department was doing, but when they're dealing with structures of a historical nature, they have to be a little more sensitive to it. Selectman Seabury didn't remember it being a historic structure. Selectman Charbonneau said people often remember things as they want to remember them instead of how they actually were. She remembered seeing red tiles, but they were shingles, not tiles. She thought the Highway Department did a great job. Selectman Seabury asked if anyone besides the Historical Society has complained. Paul said no. The Highway Department took the initiative to go out and look for the exact same wood shakes that were put on the gazebo, thinking they were doing a real nice thing. A lot of people have said they've done a nice job. Selectman Seabury asked if they have to take the shingles off. Selectman Jasper said no, the main concern was the painting of the cypress wood, which was the same as the front of the library. He didn't think that wood had been painted before, it was the natural aging process. Selectman Seabury asked how they were going to do that. Selectman Jasper said they haven't got to that point yet. When Laurie got home from the meeting, she told him a number of people were very distraught over This issue. Selectman Seabury said taking the paint off isn't going to be easy. Selectman Jasper said they will have to look at it and discuss it first.

Selectman Stewart said in order to walk along the river, there is no easy access. You have to drag yourself down the slope by hanging onto bushes. Sunday night, an elderly man fell down the riverbank. She's already spoken to Paul, Mike Reynolds and Rhona about this and she'd them to develop a river walk with bicycle paths with entrances at Birchcroft, Radcliffe and Merrill Park. The bike cops would be able to get down there to patrol it. The kids are down there now, but adults can't access it easily. She hoped they could put their heads together and get this done in the near future.

They are proceeding nicely with Harvest Fest.

Vice Chairman Stewart asked the members to let Priscilla know their vacation schedules so she can update the calendar. Selectman Jasper said he'll be away August 8 - 13.

14. NONPUBLIC SESSIONS

Motion by Selectman Seabury, seconded by Selectman Jasper, 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 carried 4-

0 by roll call vote.

Nonpublic Session was entered into at 8:17 p.m. and was terminated at 8:30 p.m.

Selectman Charbonneau said a couple weeks ago, she mentioned that some Town businesses look very good, like Gateway and Exxon, and asked if letters were sent to them. Selectman Seabury said there might be a problem with photographs because if the people don't advertise in the HLN, he won't mention their names. They had a problem with this when they were doing the gazebo; he didn't give accolades to Brox and Accurate Electric, who donated some stuff, because they weren't advertisers. Paul said that was extortion [\[see attachment\]](#). Selectman Seabury didn't think he'd put a business like JMD, located in the industrial park, which has done a beautiful job on their site, in his paper. However, she will talk to him to see if he would because she had told Selectman Charbonneau she'd pick up the ball on this and talk to him about the people who are not advertising in his paper. Selectman Charbonneau thought something should be done. She hoped it would encourage others to do the same, such as the flag lady. Paul said he thought Lorraine was going to write letters to all of them and asked Priscilla if that was part of it. She said it was a suggestion that had been brought up at a previous meeting. Selectman Seabury said the property that used to be the Merry Maids looks great since the new owners have cleaned it up. Selectman Charbonneau said there was another business at Belknap. Selectman Stewart said the one that had to change the driveway. Selectman Seabury agreed that business did a good job.

15. ADJOURNMENT

Motion to adjourn at 8:30 p.m. by Selectman Seabury, seconded by Selectman Jasper, carried unanimously.

Recorded and Transcribed by Priscilla Boisvert

Executive Assistant to the Board of Selectmen

HUDSON BOARD OF SELECTMEN

E. Lorraine Madison, Chairman

Rhona Charbonneau

Shawn N. Jasper

Ann Seabury

Terry Stewart

End of official meeting minutes

From Paul D, Sharon regarding comments in meeting minutes:

"I have offered to the Hudson-Litchfield News a profound apology for an unfortunate choice of words in this statement, and seek to extend that apology more publicly here. I have more respect for this publication than that, and, while the statement was made, any observer at that meeting would have known that the statement was offered in a light and jocular, not a serious manner, in the midst of general discussion about how to better recognize several businesses in Town. Unfortunately, the written word does not reflect that. Further, I would not presume to dictate to the HLN or any other business what their corporate policies should be. I am genuinely sorry for any distress this may have caused to the owners and publishers of the HLN."

Paul D. Sharon
Town Administrator