

## HUDSON BOARD OF SELECTMEN

### Minutes of the June 23, 1998 Meeting

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 7:32 p.m.

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

### 3. **ATTENDANCE**

**Selectmen:** E. Lorraine Madison, Rhona Charbonneau (8:10), Shawn N. Jasper, Ann Seabury, Terry Stewart

**Staff/Others:** Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Steve Malizia, Finance Director; Sue Snide, Zoning Administrator; George Hall, Planning Board Chairman; Maria Griggs, Pop Warner; Lucille Boucher, Seniors; Florence Harriet Crowell and family members, including five generations; Howard Dilworth; Coleman Kelly, John Beike, Michael O'Keefe and Lillian Yates from the Cable Committee; Keith Bowen, Recreation Director; Len Lathrop, Rec Cmt; Howard Dilworth; Nancy Regan; Fidele, HLN; Tim, SUN; Photographer, TEL

4. **PUBLIC INPUT** (30 Minutes unless extended by majority vote; 5 minutes per person)

#### **Recognition of Florence Harriet Crowell, who will celebrate her 100th birthday 7/4/98**

Chairman Madison read a proclamation to Mrs. Crowell from the Board in recognition of her 100th birthday on July 4, and presented her with flowers, a Town of Hudson lapel pin and a commemorative Hudson, NH coin. Mrs. Crowell was accompanied by her daughter, Bertha Stevens, her grand daughter, Eleanor Grande, her great-grandson, Steven Emmet and her two great great grandchildren, Brittany and Katelynn Emmett and several other family members.

Chairman Madison called a brief recess for a photo-op session with the local press.

### 5. **CORRESPONDENCE RECEIVED**

A. From: Susan Snide, Zoning Administrator

Re: Dilapidated Structures

Refer to: Old Business

B. From: Steve Malizia, Finance Director

Re: Fiscal Year 1997-1998 Encumbrances

Refer to: New Business

**C.** From: Coleman Kelly, Chairman, Cable Committee

Re: FCC From 394

Refer to: New Business

**D.** From: Donahue, Tucker & Ciandella

Re: BFI Contract

Refer to: New Business

**E.** From: CLD Engineering Consultants

Re: Contract Renewal

Refer to: New Business

**F.** From: Richard Young, CCI

Re: Maintenance Service Contracts (Town Hall & Lions Hall)

Refer to: New Business

**G.** From: Jim Michaud, Assessor

Re: Assessing Items

Refer to: New Business

*Motion to receive the Correspondence, Items A-G, with appropriate referral by Selectman Stewart, seconded by Selectman Jasper, carried unanimously.*

## **6. NOMINATIONS & APPOINTMENTS**

**Recreation Committee** (1 Member, term to expire 12/31/99; 1 Alternate, term to expire 12/31/98)

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**Keith Bowen**

**Gail Michailides**

**Donna O'Hanian**

Selectman Seabury placed the names in nominations, with the first round being the member's position. The four Selectmen chose Keith Bowen unanimously. In the second round for the alternate's position, Selectmen Madison, Seabury and Stewart voted for Gail Michailides and Selectman Jasper voted for Donna O'Hanian.

Chairman Madison announced that Keith Bowen was the member and Gail Michailides the alternate.

## **7. OLD BUSINESS**

### **A. Hudson Pop Warner Fundraising Committee (Brick Walkway at the Gazebo)**

Chairman Madison recognized Maria Griggs to explain the program. Ms. Griggs apologized for not being ready to make a presentation, but the architect took longer than expected to come up with a sketch. She also is having a hard time finding a survey plan of the area. Selectman Seabury said she might have a plan, or Maria could contact the Town Planner. Ms. Griggs said they want to build a commemorative walkway. People buy designer bricks and they are engraved, and that is what the walkway is made from. They want to build it around the bandstand, to the flagpole and around the flagpole and then to the American Legion monument. They plan to get the sports youth organization in Hudson to agreed to go into the fundraising together and the profits would be allocated to those organizations to help with membership, uniforms, etc. So far, she has commitments from the Girls Softball League, Pop Warner and Alvirne Friends of Music. They will come up with a plan on how to advertise and sell the bricks and allocate the funds.

Chairman Madison said the Town can't get involved with the fundraising. Private organizations will have to have the fundraisers to sell the bricks and then donate the bricks to the Town. Once the bricks are donated, they will become the property of the Town. Selectman Jasper said this is a nice idea, but brick walks are notorious for maintenance. There is a cost involved to put in a good, solid base. The Highway Department should be consulted for their input in planning this because they will have to maintain it. Perhaps they might want to talk with another community that has already done this. Chairman Madison agreed and suggested Maria set up a meeting with Kevin Burns. Once the plans are more definite, she can come before the Board again and they will go from there.

Selectman Seabury had some literature that was given to her by Lars Christianson, who said the Alvirne Boosters are doing a similar project. Howard Dilworth had told her that private groups cannot make money on Town projects, and she wanted to check with Attorney Ratigan. Chairman Madison said they

will have to have the fundraiser on their own and then donate the bricks to the Town. Selectman Jasper said, along with the donation of the bricks, they will need a donation to cover the cost of installation of the bricks. Chairman Madison said the Selectmen would also have to approve the plan. Maria said they were prepared to cover all of the costs of putting in the walkway.

## **B. Town Vehicles**

Chairman Madison recognized Paul Sharon, who said the vehicles used by Planning/ Engineering/ Zoning staff cannot be kept in drivable condition. At the conclusion of this subject matter at the last meeting, staff was directed to see what they could find as a replacement vehicle to put in service right away. Mike R, Mike G and Sue tried to find something that would fit the Town's needs. Using State prices for last year's vehicles at Grappone, they found six vehicles that were available. Paul recommended the Ford F150, 2WD, V-6, for \$15,569. It would be funded by a transfer from the debt service budget and asked for authorization of a not to exceed amount of \$16,000.

Motion by Selectman Seabury to authorize an amount not to exceed \$16,000 for a Ford F150 truck, 2WD, V-6, and the money would be transferred from the bond principal in the debt service budget, cost center 6101. Motion failed for lack of a second.

Selectman Jasper said they need to do something, but the discussion they had at the last meeting, and his recollection of the information Selectman Seabury passed along to the Budget Committee, was for used vehicles. He would be more comfortable with that and the Budget Committee didn't express any displeasure at that. When vehicles are costing more to maintain than they are worth, it doesn't make sense to keep them. If they bought new vehicles, it would be breaking faith with the voters, and 98's are new vehicles. They should be looking at something that has come back on a trade, or something that had been leased. He didn't think new vehicles were appropriate, given the fact the voters said no.

Paul said part of the problem with getting a used vehicle was not being able to make a commitment on the spot. If the decision is to authorize an expenditure, then they will have more of a chance of finding a used vehicle. Selectman Stewart said she didn't want to get in the habit of being another board to continually go against the voters' wishes. She agreed that the vehicles are needed, but the voters have spoken. Chairman Madison said they are in an emergency situation and the Selectmen are elected to run the Town. Department heads are without a vehicle and they have to do something about it, whether it be new or used. Selectman Seabury said she hated to buy anyone's leftovers.

Selectman Charbonneau said by keeping the present cars, they are pouring good money in after bad. There are major problems with the cars and she was concerned with liability issues. She said this was an emergency crisis, not something that can wait until next March, and there are good deals out there. They need to get at least one vehicle.

Chairman Madison explained to Selectman Charbonneau, who came in during this discussion, that Selectman Seabury's motion to purchase a new vehicle didn't get a second and Selectman Jasper said they should be considering a used vehicle. Paul said staff searched for something that would be appropriate and came back with a list of new vehicles. If they are going to get something other than a '98, they need the authorization to write a purchase order at the time.

Selectman Stewart wondered if they shopped locally, i.e., Tulley, Nashua Ford, etc. Paul said Grappone was on the State bid list, so that automatically gives them a discount. Selectman Stewart said Chief Gendron shopped around and got a good deal at Nashua Ford. Since the Town just bought six new vehicles at Nashua Ford, they might be happy to see the Town again.

Selectman Jasper asked if one of the cars was totally out of commission. Paul said yes. Selectman Jasper questioned the word 'crisis' doubting that loss of the use of one car in a Town the size of Hudson causes a

crisis. They have a problem, not a crisis, and they can deal with it. Paul doesn't use his Town car all the time and there are other cars in the fleet that aren't being used all the time.

(Start Tape 1, Second Side)

Motion by Selectman Jasper, seconded by Selectman Stewart, to authorize the expenditure of up to \$14,500 for the purchase of a used pickup truck.

Amendment by Selectman Charbonneau, seconded by Selectman Stewart, to raise the amount of \$13,000 to \$14,500 carried 4-1. Selectman Jasper was opposed.

Vote: Motion carried 5-0.

Selectman Charbonneau said she wants to be included in this.

### **C. Dilapidated Structures**

Zoning Administrator Susan Snide referred to her memo dated 6/5/98. Regarding 64 Clement Road, the builder claims the main building is structurally sound. The porches and add-ons are causing it to look dilapidated. He requested an extra 30 days in order to go in and execute that work.

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the work as outlined by Frank Smith in his letter to the Town dated 6/5/98 and grant the 30 days for the work to be completed carried unanimously.

Sue said when she came before the Board and recommended the demolition work on 109 Belknap Road, she was not aware that Jane Boolba died in a fire earlier this year. She tried to get in touch with the executor of the estate. The executor's sister called from California and maintains she is the person maintaining the property, although she has been an absentee landlord. Some time next year, the property is slated to be sold, although Susan didn't know if it will come to fruition. She can still try and get in touch with the executor. They can post the property, which has to be done four consecutive weeks in a newspaper and on the property. If no action is taken after that time, they can petition the court to go forward and demolish the structures on the property.

Selectman Jasper said continuing efforts should be made to contact the executor. There's no one living at the property and therefore, shouldn't cause any problems for Town employees. Trespassers do so at their

own risk and the Town is not liable for any injuries that may incur. Chairman Madison said they should leave it as such for the time being and the Zoning Administrator can continue to try and contact the executor. Selectman Jasper said she should actively make the responsible parties aware of the problems here that they should correct, but it's not appropriate at this time to encumber Town funds to remove the buildings.

Paul asked Susan if she knew who the executor is. Susan said Ginger McVicker is the sister of the executor, but she doesn't have the sister's name and she didn't know if the court has released the documents from the estate. Selectman Jasper said there must be an attorney involved. Susan said John suggested sending a blind letter to the executor at the mailbox. The response was from Ginger, who claims she is not the executor. Sue can either go to probate court or continue to work with John. Chairman Madison said Susan should continue working on this.

## **8. NEW BUSINESS**

*Motion by Selectman Jasper, seconded by Selectman Stewart, to change the Order of the Day and take up the Deputy Health Officer, since it involved Susan, carried unanimously.*

### **A. Deputy Health Officer**

Chairman Madison said they've talked many times about having a Deputy Health Officer and the Zoning Administrator would be the appropriate person.

*Motion by Selectman Jasper, seconded by Selectman Stewart, to appoint Susan Snide as the Deputy Health Officer carried unanimously.*

### **B. Fiscal Year 1997-1998 Encumbrances** (Memo dated 6/18/98 from Finance Director Malizia)

Chairman Madison recognized Finance Director Steve Malizia, who said last year they encumbered \$450,000 which is about the same as this year. Some of the larger, non-lapsing items are still on the books. Chairman Madison questioned the request to encumber the funds for a paper scanner. Steve said he hasn't had time to analyze that request, nor talk to Paul about it, to determine whether it is something they even want to do. It's probably a good idea, but he hasn't had time to assess it. They will probably get to the point where they will need that kind of thing to manage some of the paper flow, maybe even in a central location for all to use it. Selectman Jasper said it isn't a budgeted item that has gone through the process, so he'd like to see it removed. Paul agreed that is something they can live without for now.

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve encumbering the amount of \$458,723.92 which represents the amount of encumbrances brought forth by the Finance Director, less the paper scanner for \$1,000.

Paul said the Fire Chief requested an additional encumbrance of \$5,135 for windows for Robinson Road station, with \$2,600 coming from 5730-319 and \$2,600 from 5730-325 and \$5,200 going into 5710-224. The new bottom line for encumbrances would be \$458,723.92. Selectman Jasper included that figure into his motion.

Vote: Motion carried unanimously.

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the encumbrance in the donation account in the amount of \$1,358.47, as outlined by the Finance Director, carried unanimously.

#### **C. BFI Contract**

Motion by Selectman Seabury, seconded by Selectman Stewart, to approve the contract that runs from July 1, 1998 through June 30, 2000 carried unanimously.

#### **D. CLD Engineering Consultants Contract**

Chairman Madison said this contract has been approved by the Sewer Utility Committee.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to approve the contract that runs from July 1, 1998 to July 1, 1999, carried unanimously.

#### **E. CCI Cleaning and Maintenance Contract (Town Hall and Lions Hall)**

Chairman Madison said this is the annual contract and the rates as the same as last year.

Motion to approve the contract by Selectman Jasper, seconded by Selectman Charbonneau,

*carried unanimously.*

**F. Assessing Items**

**1) Warrant for collection of Yield Taxes, Map 21, Lots 04 & 06; Map 21, Lot 04-1 through 4-14; Map 0025, Lot 0214**

*Motion by Selectman Jasper, seconded by Selectman Seabury, to sign the warrants, as recommended by the Assessor carried unanimously.*

**2) 1997 Abatement Request, Map 57, Lot 90, G. Philip Rodgers**

*Motion by Selectman Jasper, seconded by Selectman Charbonneau, to deny the abatement request, as recommended by the Assessor for reasons outlined in his memo, carried 5-0.*

**3) 1997 Abatement Request, 163 Old Derry Road, Map 42, Lot 13-2**

*Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the request, as recommended by the Assessor, carried unanimously.*

**4) 1997 Abatement Request, 165 Old Derry Road, Map 42, Lot 13-3**

*Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the request, as recommended by the Assessor, carried unanimously.*

**5) 1997 Abatement Request, 14 Hill Street, Map 59, Lot 20-2**

*Motion by Selectman Stewart, seconded by Selectman Charbonneau, to approve the request, as recommended by the Assessor, carried unanimously.*



**6) 1997 Abatement Application, 75 Derry Road, Map 59, Lot 53B**

*Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the request, as recommended by the Assessor, carried unanimously.*

**7) Totally Disabled Property Tax Exemption**

*Motion by Selectman Stewart, seconded by Selectman Jasper, to grant the exemption for 1998 tax year for Steven Clark carried unanimously.*

(Start Tape 2, Side A)

**G. FCC Form 394 (Cable Committee)**

Chairman Madison recognized Coleman Kelly, who praised the Cable Committee for their work during this process: John Beike, Steve Boucher, Michael O'Keefe, Harry Schibanoff and Lillian Yates, three of whom were present. He had planned to come before the Board with a recommendation for action on the FCC 394, to transfer the franchise from Americable to Harron. At the 11th hour, they received communications from Harron, requesting to move the scheduled termination date from July 11 to August 4. He will draft a letter tomorrow for the Board's signature, which has to incorporate the following: "The Board of Selectmen of the Town of Hudson hereby votes to extend the 120-day period for consideration of the FCC Form 394 transfer request from Community TV Corporation to Harron Communications to August 4, 1998. This vote is taken pursuant to the letter from counsel for Harron Communications, dated June 19, 1998, which letter agrees to such an extension to August 4, 1998 and which letter is attached to the Board of Selectmen's vote hereto."

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

**9. OTHER BUSINESS****A. Proposed Elderly Housing, Rte. 3-A at Elm Street**

Selectman Charbonneau said Southern NH Services has an agreement with HUD to build elderly housing, 44 single bedroom units, on a 2½ acre parcel on Webster Street, but they need authorization from the Selectmen in order to process the paperwork. She said it will be only for people who really need it and it is something Hudson needs. The rent will be medium

priced market value. Selectman Jasper said this is the Sunshine property that just came out of bankruptcy, the old Rowell property between Webster Street and the river. The only question he has is relative to taxes. They normally make payment in lieu of taxes and there is an impact on some municipal services. As long as they go into this with the understanding there will be a small payment to the Town, he will support it.

*Motion by Selectman Jasper, seconded by Selectman Stewart, to send a letter in support of this project carried unanimously.*

Selectman Seabury asked if this was going to be like the project on Evergreen Street. Selectman Charbonneau said no, adding that Southern NH Services also has units on Burke Street in Nashua.

### **B. Union-Management Hearing in Milford**

Chairman Madison reminded the Board that hearings are being held across the state between Union & Mgmt. The one closest to Hudson is tomorrow in Milford, 7:00 p.m. in the Ambulance Room at Town Hall (in the Oval). Access to the room is off Middle St. The committee is taking the info by the towns and the unions on how to better public negotiations for legislation for next year. Representative Bob Clegg will be there, but can't talk on Town's behalf because he's on the committee.

### **C. Update on Meeting w/Commissioner Kenison @ NHDOT**

Chairman Madison asked Selectman Charbonneau for an update on the NHDOT meeting concerning the Lowell Road corridor/ road widening/ bottleneck project. Selectman Charbonneau said they are going to go forward with the bottleneck. The State will take over the easements project. They talked about federal grants and they will extend further down from the intersection with the amount of money, which is around \$500,000. They will provide the Town with more information on federal grants.

## **10. LICENSES AND PERMITS**

### **Block Party Permit request by Dennis Audet, 1 Maple Avenue, for Saturday, July 11, 1998**

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

## **11. ACCEPTANCE OF MINUTES**

### **Minutes of the June 9, 1998 Selectmen's Meeting**

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

## **12. COMMITTEE ANNOUNCEMENTS**

6/25 7:30 ZBA, Planning/Zoning Mtg Rm

6/30 7:00 Parameter Setting (Collective Bargaining, non-meeting)

7/02 7:00 Cable Cmt, Planning/Zoning Mtg Rm

7/09 7:30 ZBA, Planning/Zoning Mtg Rm

7/14 7:30 BOS, Selectmen's Mtg Rm

## **13. LIAISON REPORTS**

**NRPC** -- Selectman Stewart said they met last week and voted to raise the dues by 3%.

**HEDCorp** -- Selectman Stewart said on July 15, they will be hosting an economic development meeting at Alvirne. Governor Shaheen and the Executive Council will attend. Chairman Madison said the Selectmen will be getting that information tomorrow and that is why she didn't bring it up. It will be an all day event.

## **14. REMARKS BY THE SELECTMEN**

**Selectman Charbonneau** said the fun has just begun with the ABC Plan. She thinks it will open up a bucket of worms on many other tax issues.

**15. NONPUBLIC SESSION**

Motion by Selectman Seabury, seconded by Selectman Stewart, to enter Nonpublic Session under 91-A:3 II (a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted; 91-A:3 II (b) The hiring of any person as a public employee; 91-A:3 II (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting carried 5-0 by roll call vote.

Nonpublic Session was entered into at 8:50 p.m. and was terminated at 9:25 p.m.

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to seal the Minutes carried 5-0.

Votes taken in Open Session:

1. Motion by Selectman Stewart, seconded by Selectman Charbonneau to hire Nancy Minicucci as Associate Planner @ \$30,000, w/a 6-mo review, effective July 19, 1998 carried unanimously.

2. Motion by Selectman Stewart, seconded by Selectman Charbonneau to hire John Hall as Softball Director @ a rate of \$850 per season carried unanimously.

3. Motion by Selectman Stewart, seconded by Selectman Jasper, to hire Meg Hassey as a permanent sub for the Summer Rec program @ a rate of \$6.25 per hour, effective 6/28/98 carried unanimously.

4. Motion to promote Kevin Burns to Road Agent, effective 6/24/98, @ \$55,000 carried unanimously.

5. Motion to approve the non-union salary increases, effective 7/1/98, as follows: Steve Malizia, \$1,713.60 [\$50,674]; Frank Carpentino, \$1,592.87 [\$60,586]; Richard Gendron, \$1,497.10 [\$61,381]; Paul Sharon, \$1,497.10 [\$61,381]; Priscilla Boisvert, \$1,016.34 [\$34,894] carried unanimously.

6. Motion by Selectman Seabury, seconded by Selectman Jasper, to authorize Paul Sharon to have the deeds recorded on the following properties: 17 Lakeside Street, 149 Dracut Road, 41 School Street, 288-R Lowell Road, Riverview Avenue [Map and Lot 045-024-001], and 43 School Street carried unanimously.

**16. ADJOURNMENT**

Motion to adjourn at 9:30 p.m. by Selectman Seabury, seconded by Selectman Stewart, carried unanimously.

Recorded and Transcribed by Priscilla Boisvert

Executive Assistant to the Board of Selectmen

**HUDSON BOARD OF SELECTMEN**

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**E. Lorraine Madison, Chairman**

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**Rhona Charbonneau**

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**Shawn N. Jasper**

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**Ann Seabury**

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**Terry Stewart**

