

HUDSON BOARD OF SELECTMEN

Meeting of the June 9, 1998 Meeting

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

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

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; John Ratigan, Legal Counsel; Keith Bowen, Recreation Director; Coleman Kelly; Howard Dilworth; Len Lathrop; Nancy Regan; Fidele Bernasconi, HLN; Jack Minch, SUN; Molly McCarthy, TEL

4. **PUBLIC INPUT**

Maria Griggs & Chris Schaeffer -- Brick Walkway at the Gazebo -- Mr. Schaeffer, chairman of the Hudson Pop Warner Football Program, read a prepared letter, outlining their plans for a fundraiser to raise money for a commemorative brick walkway at the new gazebo. (Copy attached.) Chairman Madison said this will go before the Board at their next meeting scheduled for June 23rd.

5. **CORRESPONDENCE RECEIVED**

A. From: Steve Malizia

Re: Legal Services Bid

Refer To: Old Business

B. From: Steve Malizia, Finance Director

Re: Establishment of Fee for Backflow Device Testing

Refer To: New Business

C. From: Steve Malizia, Finance Director

Re: Townwide Paving Project Fiscal Year 1999

Refer To: New Business

D. From: Jim Michaud, Assessor

Re: Assessing Items

Refer To: New Business

E. From: Department Heads

Re: Auction Items

Refer To: Old Business

F. From: Bell Atlantic

Re: Licensing and Placement of Telephone Poles

Refer To: New Business

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

6. NOMINATIONS & APPOINTMENTS

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This session is for interviewing only; appointments made by the Board of Selectmen will take place at their second meeting of the month, or June 23rd for this month. Chairman Madison turned the meeting over to Selectman Seabury, the Nominations & Appointments liaison.

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

Keith Bowen Keith was not present, so Selectman Seabury spoke on his behalf. He is interested in serving on the committee after the full-time Director starts. A lot of people at Memorial School have praised Keith's efforts and he has worked very hard during the time he has served as parttime Recreation Director.

Gail Michailides -- Gail said she and her husband, Peter, have lived in Hudson for 13 years and have twin boys who will be 10 in September. They are active in Town sports and she is a team manager. She thinks sports and organized activities are important and she's willing to help out. She has a degree in social work and works part-time in Lowell. She wants the opportunity to talk on behalf of the children.

Donna O'Hanian -- Donna said it comes as no surprise that she would like to see a few changes made-- more programs, ie, ice skating lessons, teaching kids how to fish, snowshoeing clubs, outdoor clubs, including golfing, which would inspire more participation by the residents. There are a lot of group activities for the children, but no individual activities for the kids that they could use for the rest of their lives. She is interested in the accountability of the children at the summer Rec program. She does not spend July and August in Hudson, but she will come back for meetings. Selectman Seabury asked how she wanted to see any fees associated with additional programs handled. Donna said participants should provide their own equipment.

7. OLD BUSINESS

A. Legal Services Bids

Motion by Selectman Stewart, seconded by Selectman Seabury, to appoint Attorney John Ratigan, from the firm of Donahue, Tucker & Ciandella, as Town Counsel, from 7/1/98 through 6/30/99, at a rate of \$110/hour (\$60/hr for paralegal); and further, the Board reserves the right to engage special counsel on other issues, as deemed appropriate carried 4-1. Selectman Jasper was opposed.

Chairman Madison congratulated Attorney Ratigan and asked if anyone had any questions for him. Selectman Charbonneau asked if paralegals could be used more. John said he assigns work to them whenever he can, such as with the water closing. Selectman Charbonneau asked who fills in for him when he is away. Attorney Ratigan said there are any number of people, but Scott Woodman helped pull together the letter offering services. Paul has day-to-day contact with people working on different matters, but he recommended calling Scott primarily for questions that come up. The partners are all experienced municipal counselors. They represent about 30 or 40 municipalities at any one time, so there is a lot of legal knowledge under one roof.

B. Auction Items

The Department Heads submitted their list of items to be auctioned. The Police Department requested the date be changed from June 13th to the 20th and be held at the Highway Facility on Melendy Road. *Selectman Seabury so moved, seconded by Selectman Stewart.*

Selectman Jasper asked about the spring horses that the Rec Committee said the Highway Dept took, but are not on the list. Kevin Burns Kevin said the horses were imbedded in two yards of concrete each and, in the process of removing them with heavy equipment, they were destroyed.

Vote: Motion carried unanimously.

8. NEW BUSINESS

A. Establishment of Fee for Backflow Device Testing/Public Hearing

Chairman Madison opened the Public Hearing at 7:50 p.m. and asked if anyone wished to speak. She explained that Consumers and Pennichuck charge \$40 for this test, so the Town reduced that amount by 10%. There was no response, so she closed the hearing.

Selectman Seabury asked for an explanation of this. Paul said backflow devices prevent contamination in the water system. All public water systems are required by the EPA and NH DES to use them. They are installed at the site of a potential cross connection and they are tested on a regular basis. Selectman Seabury asked if a lot of them were installed. Paul said yes, mostly commercial. Selectman Jasper said, according to the memo, there are about 400 of them. Chairman Madison said this is something that has always been done. Selectman Seabury asked who pays for it. Paul said the people who have the device installed. The Town, as a water utility, is required to impose this on others just to recover the cost. Selectman Seabury asked how often the testing is done. Paul said annually or semi-annually.

Motion by Selectman Stewart, seconded by Selectman Seabury, to charge \$36 per test for testing of backflow devices carried unanimously.

B. Townwide Paving Project Fiscal Year 1999

Motion by Selectman Jasper, seconded by Selectman Stewart, to award the bid for the FY-99 Townwide paving contract to Brox, in an amount not to exceed \$300,000 as recommended by the Acting Road Agent and the Finance Director, carried unanimously.

C. Robinson Pond

Selectman Seabury said this was on the agenda because she has been getting a lot of questions and the office has been receiving calls, asking if the pond was going to be opened. She was told that the gates weren't going to be opened, and she wondered how people were going to get in to use the ball field. In the budget process, no money was appropriated for life guards, so there isn't going to be any swimming. She thought the Board should make the decision on what they are going to do with the Robinson Pond area. Chairman Madison asked if the ball park was in use. She was told not yet.

Selectman Jasper said they discussed this during the budget process and decided to post Swim at Your Own Risk signs and that Rec staff would open and close the gates. Chairman Madison didn't think that should be an issue for discussion. If the Selectmen want them opened and closed, staff internally could decide who was going to do it. Selectman Jasper thought that decision was already made by the Board. Paul said if the Board wants the gates opened and closed, staff will figure out a way and it would be assigned to someone to do it. Selectman Seabury asked if there would be any liability issues. Chairman Madison said not if it is posted. Keith Bowen said that the Rec Committee already voted to order 'Swim at Your Own Risk' signs. Selectman Seabury asked if the ball field would be open for use this summer. (Response not discernable.)

Motion by Selectman Jasper, seconded by Selectman Seabury, that the gates at Robinson Pond be opened and closed, according to the hours and dates previously established by the Board of Selectmen, and that the pond be posted for swimming at own risk, and that testing of the water be done on a basis as determined by the Health Officer, carried unanimously.

D. Licensing and Placement of Telephone Poles

Motion by Selectman Stewart, seconded by Selectman Seabury, to approve the request, with the exception of the pole on River Road, as recommended by the Town Planner, carried unanimously.

E. Assessing Items

1) Timber Tax Warrant, Map 0031, Lot 0088-0023

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

2) Current Use Release Liens, Map 28, Lots 4, 4-1, 4-2, 4-3, 4-4, 4-5, 4-9, 4-11, 4-13 & 4-15; Map 6, Lot 53

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

(Start Tape 1, Second Side)

9. OTHER BUSINESS

A. Ribbon Cutting Ceremony at Avex, June 24, 10:00 a.m.

Chairman Madison said the Selectmen all received invitations to this. She will be unable to attend, so Vice-Chairman Stewart will do the honors, on behalf of the Town.

B. Summer Programs

Selectman Seabury asked if the summer programs have been set up and if they are going to advertise. Keith said the programs are set up, advertising has been done and the schools will be noticed.

C. Town Vehicles

Selectman Seabury said several Town cars were in deplorable condition. A resident said you could follow the oil leak down Winnhaven Drive. The Engineer's car had to be towed. She

thinks the Town was remiss in not getting at least one car for the employees. She thought they should go ahead and get one car this year. She would like to see the repair costs for comparison purposes. Chairman Madison said she has already talked to the office about this. The voters didn't approve purchasing new vehicles, but the Town Administrator is going to look for any available funds for used vehicles. Selectman Charbonneau said she also had a discussion with Paul about that. Chairman Madison said it is possible that this will be taken care of soon, but wanted to wait until he comes in with figures.

Selectman Charbonneau thought a truck might be a more appropriate, adding that they can be picked up pretty reasonably. Repairing present vehicles is pouring good money after bad. She felt that, if they weren't going to get new vehicles, they should have used the police trade-ins. Paul said that's part of the reason they are where they are. Selectman Charbonneau understood that, adding that if the voters decide they don't want something, they don't vote for it.

Chairman Madison said they are also here to see that the Town runs properly and they can't have the Zoning Administrator and Building Inspector walking. She said they can't buy a new vehicle, but they certainly can buy a used vehicle. Selectman Charbonneau said she wasn't saying to buy a new vehicle; they know how she feels about that. You can deal with left-over vehicles. Chairman Madison said this Board was the one that authorized the Police Department to use their old cruisers for trade-ins. Some time ago, they made the decision that it was necessary to start building up the fleet of Town-owned vehicles, adding that the Administrator will have more information on the 23rd. Selectman Stewart asked if the Road Agent's car can be used. Paul said yes, and they could use his temporarily. There are a number of short-term options.

D. Plaques with the Names of the Students who worked at Merrifield Park

Selectman Seabury asked if the Highway Department could put up a frame, like the one at Taylor Falls bridge, and install the plaques on it that names the children who worked on the park's beautification project. Kevin Burns agreed to take care of it.

E. Board of Selectmen Plaque at the Gazebo

Selectman Seabury asked if the Selectmen were interested in having a plaque in the gazebo. There was no response, so she assumed no one was interested.

10. LICENSES AND PERMITS

A. Request for an Outdoor Gathering Permit by Central Tae Kwon Do of 222 Central

Street to hold a fundraiser to benefit St. Jude Children's Hospital on June 13, 1998

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

B. Granite State Salvage

(This item was not in the packet.) Chairman Madison said the application has been approved by the Chief of Police, with the comment, "The Police Department approves the issuance of the permit, with a strict warning by the Board to Granite State Salvage to comply with the ordinance."

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

11. ACCEPTANCE OF MINUTES

Minutes of the BOS Meeting of May 26, 1998

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

12. COMMITTEE ANNOUNCEMENTS

6/10 7:00 Planning Board in P/Z Mtg Rm

6/11 7:30 ZBA in P/Z Mtg Rm

6/11 7:30 SUC Small Conference Rm

6/15 7:30 Conservation Commission in P/Z Mtg Rm

6/18 7:00 Cable Committee in Small Conference Room

6/18 7:30 Budget Committee in P/Z Mtg Rm

6/18 7:30 ZBA in BOS Mtg Rm

6/19 5:00 Merrifield Park Ceremony

6/23 7:30 BOS Mtg in BOS Mtg Rm

13. LIAISON REMARKS (There were none)

14. REMARKS BY THE SELECTMEN

Selectman Charbonneau said she was disappointed that the budget the County Commissioners lowered to 1.2 was raised to 2.3 by the subcommittees and Executive Committee. Last year, the 4.7 reduction equated to an 8¢ reduction on the tax rate. Selectman Jasper said the Commissioners don't have to spend the money.

15. NONPUBLIC SESSIONS

Motion by Selectman Jasper, seconded by Selectman Stewart, to enter Nonpublic Session under 91-A:3 II (a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted; 91-A:3 II (b) The hiring of any person as a public employee; and 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 unanimously.

Nonpublic Session was entered into at 8:14 and was terminated at 9:30 p.m.

Votes taken in open session:

1. Motion by Selectman Stewart, seconded by Selectman Jasper, to hire the summer Recreation staff (Frank Girginis, Wendy Cleveland, April Antonowicz, Amy Caron, Amy Prokop, Kim Malley, Chris Hodge, Stephanie Maye, Heather Locke, Leigh McPhee, Kristin Byrne, Erin Murphy, Heather Murphy, Patrick J. McCoy, Amy Blanchard and Sherri Dobens) at the appropriate hourly rate, effective 6/14/98 and Bill Olszewski as the tennis instructor carried unanimously.

2. Motion by Selectman Charbonneau, seconded by Selectman Jasper, to hire William Davidson as a truck driver-laborer at \$11.25/hr, Grade VIII, Step Minimum, starting 6/14/98, carried unanimously.

3. Motion by Selectman Jasper, seconded by Selectman Stewart, to defer increases on non-union members until June 23 carried unanimously.

16. ADJOURNMENT

Motion to adjourn at 9:31 by Selectman Jasper, seconded by Selectman Stewart, 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