

HUDSON BOARD OF SELECTMEN**Minutes of the January 12, 1998 Meeting**

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 7:37 p.m., following a session with the Labor Relations Consultant that started at 7:00 p.m.

2. **PLEDGE OF ALLEGIANCE**, led by Selectman Terry Stewart

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 to BOS/Recorder; Dave Boutin, Omnipoint; Bob Clegg; Atty. John Ratigan; Steve Malizia, Finance Director; Richard Gendron, Chief of Police; Sue Snide, Zoning Administrator; Keith Bowen, Recreation Director; Richard Maynard; Planning Board Members Dick Patterson and Dick Maddox; Sherri Hamilton Lavoie; Lee Lavoie; Budget Committee Members John Drabinowicz and Janice Johnson; Police Prosecutor Ray Mello; Cable Committee Members Coleman Kelly and Steve Boucher; Recreation Committee Members Jane Payne, Len Lathrop, Mike Regan and Jim Joy; Len Foy, HLN; Signe DiPrizio, Telegraph; Stephen Gomez, Sun

4. **PUBLIC INPUT**

A. **Kathleen Vandergraf, 25 Alvirne Drive -- Request to restrict off-site parking by Alvirne Students** -- Mrs. Vandergraf presented some photographs to the Selectmen of the Patricia-Alvirne Drive area, which they passed around among themselves. She said she was representing her neighbors on Patricia Drive. She requested that the press not put any of their names in the paper in view of the retaliation they received because of the Alvirne Drive parking ban. She said there are a lot of problems going on on Patricia Drive because of the students parking there. On two different days in the past two months, the cars on the street had their tires slashed. Her children's toys have been taken into the woods and broken apart. The students are out there all day. She has watched them from her window rolling illegal substances and then they would get out and smoke them. She has called the police on numerous occasions coming out of people's yards. She caught three of them coming out of her driveway one day and when she asked them what they were doing, they said they were looking for acorns, but she thinks they were looking in her garage windows. When the parking ban went into effect on Alvirne Drive, the students were mad and yelled at her and her neighbors. They even told her to put her dog in the house, and the dog was on her property. Her husband was in California during September and October, so he asked her not to call the police during that time. She said they have no privacy any more on the street because of the kids parking there. She has taken this matter to the Highway Safety Committee, who sympathized with her problem, but they felt it was a school matter because they caused the problem. The school said they have a bigger problem in that they have 800 kids and only 200 parking spots. She'd like to see a ban implemented on Patricia Drive, such as there is on Evergreen--7:00 - 3:30, Monday - Friday, from September through June. She said there is no problem during the summer; it is only the students who are parking on Patricia Drive. To get out of her driveway, she has to go up a hill and if the kids were parking there during the last snow storm, She would not have been about to get out of her driveway. As it is, she has to back up and go up on Patricia and she ends up in the woods because of the cars that park around there. She asked who was going to be responsible if she hits one of the cars. She also asked what would happen if there was a medical emergency and she couldn't get out of her driveway. She said she has lived there seven years and never had any problem before. The whole area is in an uproar because of the parking.

Selectman Jasper said it's time they met with the School Board to discuss this issue. It's a joint problem and they need to share in the responsibility. All they are doing is pushing the problem around, and they need to see if there is something the School Board is willing to do to help.

Selectman Charbonneau said they should restrict parking on Patricia Drive from 7-3, Mon-Fri; everyone already knew that this was going to happen when they started to restrict parking. She thought this should be done as soon as possible to protect their tax payers. People should be able to get in and out of their driveways and should not live in fear of retaliation, adding that she could understand because she is going through something at her school with kids that are really doing a job. She said these people should be protected. Selectman Seabury asked how the parking ban on Evergreen Drive was working out and if the kids are parking there. Chief Gendron said it's working great, adding they're not towing cars from there; they're towing cars from the parking lot.

Selectman Jasper said he didn't have a problem with an ordinance being drafted, but he thought they were just moving the problem further down the road. Mrs. Vandergraf said off-site parking was convenient for the kids because the school can't see what they are doing. They cut through the woods through people's back yards, which makes it easy for them to skip school without having to take their cars out of the parking lot at Alvirne. She said Patricia and Sunland are the last neighborhood streets where the kids can park. They are not parking at the other end of Alvirne because the superintendent lives there. If it gets to a point where they have to walk a mile, they will start taking buses again.

Chairman Madison reiterated that the parking ban would be Monday through Friday from 7:00 to 3:30, September through June. Mrs. Vandergraf

said she was asking for the same parking restrictions as on Evergreen, with signs on both ends. Selectman Jasper said they might as well do everything in that neighborhood, whatever it encompasses. It will probably start cropping up on Old Derry Road.

Chairman Madison said they'd take this up under Other Business.

B. Keith Bowen, Recreation Director -- Recreation Department Budget Cuts -- Keith thanked the Board for placing them on the agenda on such short notice. He wanted to talk about the Recreation Summer Program that was cut by the Budget Committee for FY-99, which was a great surprise to because the Summer Program was the nerve center of Hudson's recreational programming. About 90% of the volunteers who aid Recreation Department programs such as soccer, basketball and Babe Ruth baseball are former Summer Rec participants who would like to earn a position as a Summer Rec Counselor. The Summer Recreation program is the foundation to which the rest of their programming ventures are built on. Summer Recreation is not a babysitting facility. It is a place where the children of Hudson can attend and participate in a wide variety of recreational activities and see friends they would not normally see outside of the regular school year. The Summer Rec program provides children with an organized schedule of events, which promotes growth and personal development during their summer vacation, a place where the children of Hudson have been going to for 30 years. It provides the children of Hudson with a diverse array of educational and recreational activities, in which they may choose to participate. The educational opportunities are enormous, with drug awareness programs, eating/snacking programs, trips to historical places such as Georges Island, JFK Library, North Shore Music Theater, and camp outs. They also provide recreational activity, such as roller skating, swimming, bowling, daily arts and crafts and a trip to Canobie Lake. The programs and optional and children choose which ones to participate in. The Rec Department spend \$159,000 during the last fiscal year and generated 49% of the expenditures in revenue. He challenged anyone to meet those numbers in any other town or state. The future of Hudson rests in the hands of today's children. He asked them to let children gain experiences today which will help to make them strong leaders of tomorrow. He closed by saying, "Children should not become the platform to which personal agendas and personal strength is gained. They need to be supported and nurtured. We cannot turn our backs on them now."

Selectman Jasper said he was before the wrong board; it was the Budget Committee that made the cuts. He should also have been informed that the Budget Committee expected the Recreation Committee to come in with a presentation. Keith said they were not informed of that. Selectman Jasper said the Budget Committee Chairman should have informed him that this would be revisited, and the Recreation Department could make a presentation at that time. He said he has long felt that the program, as it is presently being run, is a liability. He emphasized that he wasn't saying that it is a bad idea, as there are many important elements, but he feels there are also great liabilities that need to be looked at. While the Budget Committee is not a policy setting committee, they did make a statement. It is unfortunate that everyone got riled, because it should have been clear that this was something that was going to be revisited on the 15th.

Chairman Madison said Selectman Jasper was on the Budget Committee as a member of the Board of Selectmen, a Board which supports the Rec Department 100% --and he did not support them (on January 8). She said he is not to go there and say, "I do not support this program, but I'm here because I was told to vote for it." Selectman Jasper resigned as Budget Committee representative. Chairman Madison asked him to wait until she was through speaking before he offered rebuttal. She said this has happened before, to which he said not by him. Chairman Madison admonished him to wait until she was through speaking, saying that she was told by the Chairman of the Budget Committee that there have been other issues in which he (Selectman Jasper) says, "I do not support this, but I will vote for it because the Board of Selectmen sent me here." She said he is supposed to convey the Board's thoughts to the Budget Committee. He is supposed to support the Board's position wholeheartedly. Selectman Jasper said he is not a robot and cannot do what she asks. As the Budget Committee's representative, he has stated the Board's opinion and voted the Board's wishes, but he also states his own personal feelings. If he was not a member, he would have a right to be in the audience, airing his views, and no one can take that away from him. There have been a number of occasions where he would have liked to have voted otherwise, but other than a few times when department heads agreed that the cuts were reasonable, this is the only time he has voted against the Board's position. In this case, he knew it would be revisited on the 15th, and he knew the Selectmen were meeting tonight, at which time he was going to ask the Board for their input. He said that he would not be at any more Budget Committee meetings because he was tendering his resignation from the Budget Committee.

Chairman Madison accepted his resignation, then corrected herself and said that she can't, that she needed a motion from the Board for that. She said she was informed that this was not the first time that this happened. Selectman Jasper asked her to cite another instance where it happened, telling her not to believe everything she hears. He said that if someone makes allegations against something he has done, he'd like specifics.

Chairman Madison said setting policy was something she wanted to address the Budget Committee about. When the Budget Committee cuts out an entire program, one that has been successful for 20, 30 years, they are setting policy. If they want to set policy, they should be running for Selectmen, not the Budget Committee. Selectman Jasper said he has made that point repeatedly to the Budget Committee. However, the Budget Committee's job is to look at expenditures to determine if they are justified. If the Budget Committee feels something is a liability to the Town, they have a responsibility to take action. Donna Ohanian's first motion was to cut the funding in half. He felt that was setting policy and would further increase the liability, so he opposed the motion. If someone talked with him beforehand, he could have explained it. The Budget Committee wasn't setting policy, it was addressing liability, which he has spoken about with Paul and the Finance Director. If the appropriate board takes no action to remove the liability, the Budget Committee has a responsibility to remove the monies to support that activity. Chairman Madison said that was only Selectman Jasper's opinion, at this time.

Selectman Charbonneau asked why this program is being considered a liability now, if it hasn't been in its 25-30 year history. Selectman Jasper

said the nature of liability is much different today than it was back then. The concerns are that children are being dropped off for the day as a babysitting service. Last year, when the Board met with the Rec Department, they were told it was becoming a babysitting service and heard the horror stories of people dropping their children off and leaving them for the whole day, of the children who were there at the end of the day with no one there to pick them up, of no procedure in place to sign kids in and out, and of 200 kids roaming around at noon time because the Rec Center closes down for an hour. If the Town takes responsibility when the kids are dropped off, there would be a serious liability, which could probably be successfully argued in court. He was going to suggest, before he was attacked tonight, that one of the things they should do pronto is talk with the Municipal Liability Trust about what they do and ask them to review and comment on them to review. He was going to ask the Board how they wanted him to vote on this issue. He has concerns about this program, as they all have had when it was been discussed in the past, and he resents the attacks. He challenged them to find another time when he voted on the Budget Committee against the Board's wishes or policies that wasn't supported by the department head that the cut was against. He will defend to the death his right to state his own views, even if he votes opposite because it is the wish of the Board as a whole. Chairman Madison said she didn't say there were other votes, she said he speaks his mind. Selectman Jasper countered with, "What a surprise. Shawn Jasper speaks his mind! No one in Town knew that!"

Selectman Charbonneau thought the Board increased the babysitting prices so they could hire more people. Chairman Madison said she was hearing a different story from Selectman Jasper tonight than what she had heard from the people in the Rec Department. She said her phone rang off the hook all weekend long, up till 10:00 each night on the telephone, adding that all of the other members were called, too. She didn't know, however, if Selectman Jasper was. She spent hours on this all weekend. She talked to another member of the Rec Committee and he is saying that there will always be some children who are simply dropped off for the day; the same thing happens in the schools. They have no place to go and can't go home because the parents aren't there. It happens everywhere, but it is a very small group of children. If children don't bring lunches, the Rec Department tries to see that they get one and they send them to the ball field so that they can all eat at one time. There is a lot that goes on that wasn't mentioned at the Budget meeting, which she believed was going to be addressed by the next speaker on Public Input.

Selectman Jasper thought it would be wasted breath, that it should be addressed to the Budget Committee on the 15th, adding that there are valid concerns that needs to be addressed by the Selectmen and Recreation Committee. Chairman Madison said he was probably right, but the Recreation Department wants to make sure the entire Town of Hudson knows what is going on. Selectman Stewart said Selectman Jasper was talking about procedural concerns, which can be rectified, but it is ridiculous to cut the whole program. Selectman Jasper didn't think anyone anticipated things would escalate to this level. His clear understanding was the Budget Committee Chairman was going to let the Recreation Department know this matter would be revisited, so this shouldn't have gotten to this degree at all. No one would have voted to cut the program without the intention of revisiting it. The Budget Committee has always given department heads the courtesy to present their side. They are tight on time, so the committee went through the Rec budget rather quickly, knowing that on the 15th they've got warrant articles to do, too, in preparation for the public hearing on the 19th. The Rec can come in on the 15th and address the items that have already been voted on. The votes were taken to alert the committee that there was a problem. He reiterated that this never should have risen to the level it has, adding that he was disappointed with the chairman for not making that clear. He apologize for not being home over the weekend to clear things up then.

Selectman Seabury said there were signs posted on the doors of all the schools, indicating what the Budget Committee had done. Selectman Jasper asked how the information got out so quickly. Selectman Seabury said word got around, adding she couldn't believe the Budget Committee was so brainless as to cut out a program that has been in existence for so many years. In fact, the committee was cutting things they didn't even know about. Two members were just going down the line and, if they saw a number they felt looked too big, they cut it. Selectman Jasper said those cuts weren't successful. Selectman Seabury said she has learned that you never cut children's or old people's programs; you try to make them better.

(Start Tape 1, Second Side)

Selectman Jasper said this may effect the change some people feel is needed, so in the final analysis, it may have been a wise thing. It opened up dialogue on the subject. He thinks there are some real problems that need to be addressed and they should start with the Town's insurance company on this.

Chairman Madison said if it shouldn't be at this level, then why did everyone except one person vote for it. When she spoke with the Budget Committee Chairman, he said he felt things got out of hand and that everyone finally said, "I'll vote this way so we can reconsider it." In the interest of saving time, if that was one of their concerns, they should have voted it down and continued on. Whether or not it should have gotten to this level, she hoped the Budget Committee would restore it when they meet on the 15th. Selectman Jasper said she made it clear she doesn't think he can represent the Board on the Budget Committee. Chairman Madison said that wasn't true, that she said he's done it more than once. Selectman Jasper wanted to know when. Chairman Madison said people from the Budget Committee have told her that he does not verbally support the programs the Board supports, but votes for them because the Board wants him to. She contended that he wouldn't be on the Budget Committee if he wasn't a Selectman. Selectman Jasper agreed with her, adding that he never wanted to be the Selectmen's Rep to the Budget Committee. Chairman Madison said that's not something they should get into now.

C. Len Lathrop, Recreation Department Member -- Budget Cuts to Rec Department Mr. Lathrop, in the interest of saving time, submitted his written statement to the Recorder for the record (copy attached). On Friday, he received a courtesy call from the Budget Committee Chairman, advising him that the Recreation Department's budget was reviewed, recognizing that there was a communications problem and that they weren't there. After the Chairman explained what had been cut, Mr. Lathrop said he explained why that was wrong. The Chairman called him back about

40 minutes later, saying that he had spoken with the committee, who would allow the Rec Department to give a presentation at the January 15th meeting, at which time he thought there would be enough votes for reconsideration. He was before the Selectmen, on advice by Selectman Charbonneau, to emphasize the importance of the program that was cut and alert them that there was a possibility that it might not be reconsidered. They were requesting the Selectmen to direct their representative to move to reconsider the vote and approve the same budget the Selectmen approved during their deliberations last year. He said the Rec Department would be prepared to make a presentation to the Budget Committee on the 15th and hoped for a reconsideration. He said no one on the committee went to the press about this, but there was a grass roots swell. On Saturday, the Rec Department came alive. If the Budget Committee fails to reconsider the Rec Department's budget, they are prepared to bring an even larger contingent of grass roots people to the public hearing on the 20th. If that fails, they will bring an even larger group on February 7. The Rec Department has talked about and reviewed the liability issue that concerns Mr. Jasper and they feel it is covered under their rules and regulations, which no one in the Budget Committee has ever seen. They talked about raising fees in the Rec program. As a committee, they have been exuberant about Keith and the role he has played in the committee. He hoped they could resolve the issue on Thursday.

D. Sherri Hamilton Lavoie, former Recreation Director and Member of CHIPS re Budget Cuts -- Mrs. Lavoie submitted her written remarks to the Recorder, (see attached) adding that Chief Gendron asked her to speak tonight about the CHIPS program. Last October, CHIPS asked the Board for a \$3,000 appropriation for financial assistance as they sponsor events for children in Hudson in a positive atmosphere, interacting with the Police Department. A popular event is Fright Night. Last year, they gave out 950 Halloween bags. They weren't asking for money to make their party larger, but to help defray some of the costs of the programs. Several other non-profit groups also solicit funds from the same businesses CHIPS does for donations and their biggest fear is that the donations will dry up. If that happens, so will the Halloween party. All donations stay in Hudson for Hudson children. Chairman Madison asked if she spoke at the Budget meeting. Sherri said no, she didn't know their budget was supposed to go before the Budget Committee as part of the Selectmen's budget. Last Tuesday, they were asked to come in on Thursday to present what she told the Board this evening. They voted not reconsider their vote at that time.

Selectman Charbonneau asked if the Budget Committee provided any justification. Sherri said part of the feeling was that they are in the wrong place. The majority of other organizations are under Community Services, but those are considered emergency assistance. Chairman Madison asked where they felt it should go. Selectman Jasper said that was the feeling of only some of the people. He made the case that it wasn't a sacred budget for that type of thing. He voted to keep the money in, but he agreed that it was a philosophical question as to whether or not it was something that should be supported through tax dollars. He wondered if Children Interacting with the Library will be next, or if they will now start getting requests from the Knights of Columbus, the Masons, the Boy Scouts and the Girl Scouts, etc. for funding. This is the type of thing they have not traditionally supported. They are private organizations that normally do fundraising for their own causes, they don't get it from the Town. Where it is located in the budget doesn't make for a good argument. The basic concern was setting a precedent for something they haven't done before.

Selectman Charbonneau said she's very conservative, but feels they have got to do things for the kids, because they are the future. If they are not kept out of trouble, the Town will pay for it later on. She thinks this is a good program and an important cause. She can see no logical reason why the Rec program was cut. She said Hudson was the lowest in the State for providing recreation for the kids. It's about time they wake up and do something.

Selectman Seabury said the CHIPS program was a good one, agreeing that the Town didn't provide enough recreation for the kids, especially since the Town is expanding by leaps and bounds. She said she sees a lot in the Middle School, adding that there are a lot of single parents out there and kids need a place to go. When she asks kids what they do, they say they go home and watch television or roam the streets. She, too, is sorry the budget was cut. Selectman Jasper said this is only a line item in a budget totaling about \$90,000 and it's at the discretion of the Board of Selectmen how the money is doled out. If this is the final number, the Selectmen can cut \$500 from various places to come up with \$3,000 if that's the will of the Board. Another option is on the floor of Town Meeting on February 7 and amend the budget by \$3,000 in that line item.

Sherri said that they have been told that CHIPS is not an officially-recognized Police Department affiliated group. Her answer to that was that if it wasn't for the Police Department, there wouldn't be any CHIPS. She asked if the Board could do something to recognize or commission CHIPS officially as a part of the Police Department, such as the Relief Association, which serves an entirely different purpose. Nashua has PAL, which is a large organization and costs a lot of money. Chairman Madison recognized the Town Administrator to respond. Paul said that CHIPS could somehow become sponsored by the Recreation Department or the Police Department, or the Town in general. During the budget process, it was left that they were being sponsored by the Board of Selectmen, which should carry some weight. It might even be split in the operational budget between the Police Department and Recreation Department. Selectman Charbonneau asked if the program could come under the State Incentive Funds. Paul didn't know, but they could check. Selectman Charbonneau said that her district had over \$200,000 they gave out to different organizations. When that comes in in August, she suggested that they apply, adding that she has noticed that Hudson doesn't apply for too much-- and they should.

5. CORRESPONDENCE RECEIVED

A. FROM: Susan Snide, Zoning Administrator

RE: Omnipoint Communications

REFER TO: Old Business

B. FROM: Mr. Hurshman

RE: Petition for Animal Shelter

REFER TO: New Business

C. FROM: Tom Sommers, CLD, SUC Consultant

RE: Inflow Infiltration Study Grant Application

REFER TO: Old Business

D. FROM: Richard Gendron, Chief of Police

RE: 098-01 Second-Hand Dealer/Pawnbroker Ordinance

REFER TO: New Business

E. FROM: Doug Kostyk, 132 Ferry Street

RE: Abandonment of Unconstructed Portion of Magnolia Path

REFER TO: New Business

F. FROM: Mike Reynolds, Town Planner

RE: Request for Building Permit, 37R Robinson Road

REFER TO: New Business

G. FROM: Jim Michaud, Assessor

RE: Various Assessing Items

REFER TO: New Business

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

6. OLD BUSINESS

A. Omnipoint Communications

Chairman Madison recognized Zoning Administrator Sue Snide, who recognized Dave Boutin, Zoning Manager from Omnipoint, who gave a half-hour presentation communication towers.

(Start Tape 2, Side A-20)

Selectman Seabury asked how many towers Omnipoint was planning for Hudson, adding that she heard Omnipoint wanted to place a tower a mile apart on the riverbank. Mr. Boutin said only one, at this point, but that the Route 111 corridor is a natural for locating towers. Following a brief question and answer session, Chairman Madison said another speaker was coming before the Board on this subject on January 27th.

Motion to change the Order of the Day and take up Susan Snide's second item, 7-D, by Selectman Charbonneau, seconded by Selectman Jasper, carried unanimously.

D. New Business--Request for Building Permit, Map 36, Lot 10 37R Robinson Road

Chairman Madison recognized Susan Snide, Zoning Administrator, who said Mr. and Mrs. Prince want to sell this property to Ken and Karen

Cataldo. The road that leads to Lot 10 is a Class VI road. In 1951, the Town voted to close the road, but the statute specifies that the word 'discontinue' must be used in order to completely erase the books. Voting to close doesn't meet the language of the statute, so the road is not officially discontinued.

Selectman Charbonneau said this road is so old, isn't it just gone? Susan said she looked at the road and it can be traveled--although she wouldn't take her car down there. The ruts are there because it is a traveled road; Mr. Prince uses it all the time, but no one else has any reason to use it. Selectman Charbonneau said this would put the Town in a position of having to maintain it.

(Start Tape 2, Second Side)

Susan said this is similar to the Holton case in that the Princes are willing to sign an agreement, releasing the Town from any liability and they are willing to maintain it because it will, essentially, be their driveway. And it will be recorded at the registry. It can be included on a certified plot plan because there is no subdivision plan for this. Selectman Charbonneau asked if there was enough land for just one house or if it could be developed. Susan said if someone wanted to put in a road down there, it could be developed because there are 12 acres. Selectman Charbonneau asked if wording could be included, specifying that no subdivisions can go in down there. Susan couldn't see how that could be done because it was not a subdivision.

Attorney Ratigan said Class VI roads are roads that have been dedicated to the public right of way, but the Town is no longer obligated for the Town to maintain them. The statute has provided that if there is a waiver of liability given to a municipality, recorded at the Registry of Deeds, building permits can be issued on Class VI roads. The public can still pass along that road, as the driveway wouldn't start until the boundary line of the person's property. Only Selectmen can give authority to make improvements to Class VI roads, so they would have to come before the Board in order to upgrade it, and his recommendation would be never to approve it unless it was raised to the level of the Town's roadway standards. The Selectmen wouldn't want someone to petition at Town Meeting to approve it. This has come up in a lot of other towns. Someone will have a house with a Class VI road and they start to work on it with a dozer, but only the Selectman have the authority to do work on a class VI road. The Town owns it. Another consideration is if this is a road they want discontinued forever. The Selectman can give a building permit, with restrictions.

Selectman Jasper said this has to do with the difference in wording between closing and discontinuing. He said he hadn't had time to read the backup information, but thought Dick Maynard, who had his hand raised, wanted to answer the question. Mr. Maynard was recognized and then said 'closing' was a short term of 'closing, subject to gates and bars,' and it changes a roadway from a town maintained road to a non-town maintained Class VI road. When a road is discontinued, it is eliminated completely. This road can't be discontinued by Town Meeting vote because it was established by conscription (by easement). It was one of the roads dating back to the 1800's and by RSA's, that has to go to court to eliminate that. This Board of Selectmen is being asked to approve one building permit for one house on what becomes a private access road to a 12-acre building lot. No other action can happen on that road. If somebody else wants to do something to that road, they have to come back to the Board of Selectmen or the Planning Board. There is a recorded deed that gets signed and goes back to the Registry. It holds the Town harmless from any liability, plus any requirement for maintenance of the road. It is a contract, a formal, legal document that can be amended only by the Board of Selectmen. Selectman Charbonneau was hesitant, saying that there has been a lot of talk about grandfathering things. Mr. Maynard said there's no grandfathering involved with this action. (Talking over each other.)

Selectman Jasper asked the Town Attorney if he concurred with Mr. Maynard's statements. Atty. Ratigan didn't know about the explanation on discontinuance, that he'd have to look it up. He asked Mr. Maynard if the road/driveway served only the lot owner. Mr. Maynard said no, the roadway goes between two Class V roads in the Town of Hudson, but in this case, only one lot needs this road which is, otherwise, landlocked. Chairman Madison asked what Class V roads are. Atty. Ratigan said Class V roads are Town-maintained roads. Atty. Ratigan asked if the owners would object to having the road discontinued, if a building permit was issued. Mr. Maynard said that couldn't be done legally. Atty. Ratigan suggested discontinuing use beyond the driveway portion. Mr. Maynard said he didn't have a problem with that. (Talking over each other. Chairman Madison gaveled order back.)

Atty. Ratigan said the road connects to two Class V roads, and they are proposing only to use it part of the way. If the client owns the rest of the way and doesn't have an objection to discontinuing it beyond where the house site is, then the Town won't have to worry about a thru-way. Selectman Seabury said the backup documentation indicated the reason some of the roads were kept open was for access to the utility lines. What the voters did was to close access to the parcels of land, and the only reason they wanted the road, or what Mr. Maynard was calling a road, was for access to the public utility line, which runs in the back.

Chairman Madison recognized Zoning Board member, Frank Carr, who said this issue was on the ZBA's agenda in December, so he went to look at the property. His concern at the time was access of emergency vehicles to that area on the road that is there. It would be very difficult to travel it; he would not take his car on it, he walked it instead. He questioned the Town's liability for taking a fire engine down there, or a police car or ambulance. It is quite inaccessible--a public safety issue. Atty. Ratigan said the waiver of liability that is being provided is precisely for that purpose, in the event that the road isn't plowed and is impassable. Selectman Jasper said they still would be creating a situation, if the road isn't upgraded. If someone down there was calling for an ambulance, the Fire Department probably wouldn't just say, "Oh, well, they've released the liability." Right now, they can't get an ambulance or fire truck down there. It's a wood road and, in the spring, it's a mud hole. It has never been improved, stripped of the loam and graveled over. They will have to do something with it and the Selectmen should be concerned that they can't

get emergency apparatus down there in the event of a fire or someone needing medical assistance, regardless of the waiver of liability. That doesn't do anyone any good when an emergency is occurring.

Selectman Seabury thought this was the property that Mr. Prince wanted to put mobile homes on at one time. Mr. Maynard said, at one time, the Town's ordinance would have allowed mobile homes down there. Under the old ordinance, this 12-acre parcel would have supported mobile homes.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to lay this on the table, pending a legal opinion and pending further information and look into it further to ensure the Town won't be liable, that there won't be any more homes built down there.

Continuing, Selectman Charbonneau said on many occasions, the Town dot's the I's and crosses the T's, and they still have problems. Selectman Seabury said before they issue any permit, the road has to be upgraded to the point that emergency vehicles can pass.

Vote--Motion carried unanimously.

Mr. Maynard asked if a letter from the Town Engineer would satisfy the accessibility issue. Selectman Charbonneau said no. Selectman Jasper wanted something from the Fire Department. Paul asked for a clarification from either Susan or Selectman Stewart. The Planning Board deliberated over this matter and, apparently, there were two separate motion to recommend to the Board approval of the building permit, which failed because they tied. They went through it again and it ended up with 4-1-1 vote. He asked what the hang up was and what finally persuaded the Planning Board to recommend it. Susan said one of the members asked her if this warranted a variance. She thought that either they get the variance or the approval from the Board of Selectmen. It would essentially landlock the property, telling them they have no ability to use their property because there is no access. That's why they gave the positive vote. Mr. Maynard said it was also the hold harmless liability deed. If this went before the ZBA, they don't have the option to release the Town of the liability, where the Selectmen do. Chairman Madison said this is on the table, but would probably come back for the next meeting.

B. Inflow Infiltration Study Grant Application

Paul said Tom Sommers prepared a grant application, which has been recommended by the Sewer Utility Committee. The Selectmen have already approved an infiltration and inflow study, and this would take advantage of a 20% DES grant, if approved.

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

C. Unicorn Park/Highway Garage

Chairman Madison said she had asked that this be put on, and referred to the draft warrant, which had been faxed over by Atty. Ratigan and distributed separately. Atty. Ratigan said he prepared three different articles for this issue. He said, at Paul's suggestion, he put in the bond article like last year's, as an option, which is on Page 4. On Page 10, in the middle, is an option that talks about auctioning the land and placing the proceeds in a Capital Reserve Fund for future construction. The third article, on Pages 10 and 11, shows the unwieldiness in trying to something that doesn't go anywhere. He has been trying to reach John Wolters, but he is under a lot of medication, and will talk to him tomorrow. He was supposed to have gotten some numbers from Mr. Wolters, but those numbers have not been forthcoming.

Chairman Madison asked if Atty. Ratigan was recommending approving the articles without the numbers, and then inserting them when they are available, adding that time was getting short. Atty. Ratigan said the Board has three options, which the Board could conceivably approve, and then choose which ones they want between now and when the Budget Committee makes final recommendations, based upon what the Selectmen wants to do. Selectman Jasper said that there is no provision for the Sandbornization that article, saying that the total cost is, etc. Atty. Ratigan said he would include that phrase, adding that he wasn't sure if they would even be getting any of the information they wanted. Selectman Jasper said if they forget about the last warrant article, they could go with the auctioning of the land and with the bonding, for a lesser amount. Atty. Ratigan said they could do that and probably write a single warrant article that could talk about bonding by 2/3rds, raise and appropriate bond by 2/3rds of the proceeds, be offset by the sale of. Selectman Jasper said still have the two articles and if they don't get the 2/3rds, but get the authorization to sell, the next year they could go in and they will know exactly how much money they have. Atty. Ratigan said that makes sense. Paul clarified they were talking about two stand-alone articles. Chairman Madison said one for the \$950,000 and one for the land. Selectman Jasper said they really need to have the numbers by Thursday night.

Chairman Madison recognized the Chairman of the Budget Committee. Mr. Drabinowicz said if the Budget Committee gets a warrant article at the last minute, he feels that the committee will reject it because they wouldn't have had a chance to study it. Chairman Madison asked Atty. Ratigan what he recommended. He said to go with the three articles, then pull one or two of them later in the week. He expected the numbers for the third article by tomorrow and, if they didn't have them, then pull it, adding that he wouldn't put his eggs in that basket. He said it was a tough article to word. Selectman Seabury agreed, saying it was hard to explain the concept without looking like hocus pocus, but the last one didn't include any

bonding. Selectman Charbonneau asked if they were sticking with the bond article, regardless. Atty. Ratigan said yes.

(Start Tape 3, Side A)

Chairman Madison said the Board needs to add their recommendations to the articles. Attorney Ratigan said the warrant does not contain the zoning amendments or petitioned articles yet, one of which is the animal shelter, which has to be forwarded and requests the expenditure of money.

Motion by Selectman Jasper, seconded by Selectman Seabury, to forward all warrant articles to the Budget Committee with a positive recommendation from the Board of Selectmen, to be sent to the warrant.

Chairman Madison recognized Coleman Kelly, who had his hand raised, and asked if there was an opportunity to change the wording on the cable article. Atty. Ratigan said the change has been made. Chairman Madison noted that the Police Fact Finding article needed to be included, too.

Vote: Motion carried unanimously.

Selectman Jasper said the lease of the land and the highway garage articles were in the warrant, and it would be the understanding that those numbers be inserted.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, that the numbers be inserted by Thursday, (after approval by Selectman Charbonneau, Paul Sharon and him) or the article concerning the lease be pulled from the warrant, prior forwarding to Budget Committee carried unanimously.

Paul asked the Selectmen if they wanted to address article placement in the warrant. Selectman Jasper preferred to wait.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, that, in the event that they forward the article having to do with the leases of the property, then the bond article and the article dealing with the sale of land be pulled from the warrant and not forwarded to the Budget Committee carried unanimously.

The Recorder asked if it wasn't too late to post a public notice to hold a bond hearing, thinking that the deadline for posting was January 6. Chairman Madison and Selectman Jasper thought that might be the case. Atty. Ratigan said if that is the case, then they can't do the bond article. Selectman Jasper said the bond issue is moot, but they can still do the other ones.

7. NEW BUSINESS

A. Petition for Animal Shelter/Warrant

In addition to the Animal Shelter petition, the Board also received three more: Salary Increases for the Supervisors of the Checklist; Purchase of Property for future Library Expansion; and Establishment of a Board of Water Commissioners.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to forward petitioned articles received after today to the Budget Committee carried unanimously.

1) Salary Increases for Supervisors of the Checklist

Motion by Selectman Jasper, seconded by Selectman Stewart, to forward to the warrant with a recommendation by the Board of Selectmen.

Selectman Jasper said this is a thankless and tedious job, having to deal with a lot of registration cards, adding that they have done an admirable job.

Vote: Motion carried unanimously.

2) Animal Shelter

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to forward this to the warrant not recommended by the Selectmen.

Selectman Jasper said there is no plan, no budget, no chain of command. It needs to be something that an organization need to take on, not the Board of Selectmen. Selectman Charbonneau said there was no plan and nothing indicating whether it was regional or local.

Vote: Motion carried unanimously.

3) Purchase of Property for future Library Expansion

Selectman Jasper didn't know where the money goes and there are no agents to expend. He asked if the Attorney has looked at it. Paul said not to his knowledge.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to go forward not recommended by the Selectmen.

Selectman Seabury said she was present when this was discussed and some of the neighboring people have been contacted and they are interested in selling their land for library expansion purposes, but she thought that Lisa Riley was going to verify this through the Town Attorney. Paul said it was possible, but he didn't recall seeing anything routed through him. Selectman Seabury said the Library has a tendency to spend whatever monies they have and the Board of Selectmen or Townspeople have no control over the funds. She said there wasn't enough information provided for her to be comfortable voting to recommend this article.

Vote: Motion carried unanimously.

4) Establishment of a Board of Water Commissioners

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to forward this to the Budget Committee and to the Warrant as not recommended by the Selectmen.

Selectman Jasper said he has some legal questions that need to be addressed. He didn't know if they could establish a Board of Water Commissioners if they haven't first established a water district. In addition, the terms were not staggered, so they would all be up for re-election at the same time. These people wouldn't have near the amount of work the Sewer Utility people have, and they will get \$5,000 each!

Vote: Motion carried unanimously.

B. 098-01 Second-Hand Dealer/Pawnbroker Ordinance (Includes Public Hearing)

Earlier in the meeting, Atty. Ratigan stated that the changes in the ordinance are changes that the Selectmen are authorized to make; they don't have to go to Town Meeting.

Chairman Madison opened the public hearing at 9:45 p.m. and asked if anyone wanted to speak on it. There was no response, so she closed the hearing.

Selectman Jasper said he had asked Chief Gendron to look at this some time ago when he had a chain saw stolen. Only three people knew where the chain saw was and nothing else was gone. The individual who stole the saw had pawned a chain saw down by the bridge because he was looking for money, but it doesn't have to be recorded and reported to the police, so there is no way to track it. This ordinance deals with that sort of thing, so when you have serial numbers and things like that, they can be tracked.

Chairman Madison said there was a recommendation by the Town Attorney to include a definition of perishable and non-perishable. Chief Gendron distributed copies of a revised ordinance that includes the definitions. He said if the Board adopts the ordinance, a change has to be made in the current ordinance to strike precious metals and stones, and it will be inserted in this one. That way, there will be two ordinances: a pawn shop ordinance and a scrap metal ordinance. Chairman Madison said they were dealing with the pawnbroker ordinance that was before them and would have to have another public hearing to address amending the scrap metal ordinance.

Lt. Mello said the pawn shops that deal with second hand items are required only to report precious metals and stones. If they have a camera, tv... or chain saw... it doesn't need to be reported to the Police Department. Most of the time, the pawnbrokers purchase things unwittingly, but with this statute, they are required to report to the Police Department all of the purchases they make within 24 hours of the close of business. Sometimes fences will set up a business in towns, so this statute will deal with that, too. The definition of a pawn broker is someone who takes something in on consignment and loans money to the person. He holds that item as security and can charge interest on the money lent out. A second-hand dealer is what is in Hudson. Property comes in and is resold.

Motion by Selectman Jasper to adopt the revised Second-Hand Dealer/Pawnbroker Ordinance, 098-01, seconded by Selectman Charbonneau.

(Start Tape 3, Second Side)

Vote: Motion carried unanimously.

C. Abandonment of Unconstructed Portion of Magnolia Path

Paul said this item could be dispensed with quickly because it falls within the 20-year lapsing period, so there is no further action required by the Board, other than a courtesy notification to the abutters, and Mr. Kostyk owns both sides. In fact, there is nothing the Board could do to prevent it.

E. Various Assessing Items

1) School Houses #9 Property

Chairman Madison said the Board has a minor problem, in that Selectman Jasper cannot participate because he is involved in the issue. Furthermore, she cannot either as the memo is sent to her as the Chairman of the Board of Selectmen by her supervisor at work, and Selectman Seabury also works for the School District. What she would like to do is to appoint John Beike as a Deputy Assessor to handle this one item in order to have a quorum at the next meeting.

Motion by Selectman Jasper, seconded by Selectman Stewart, to appoint John Beike as Deputy Assessor at the meeting on January 27, 1998 in order to vote on this one item, carried unanimously.

2) Veterans Tax Credit Applications (Edward Milan, 23 Shoal Creek Road; Robert Lawrence, 8 Shoal Creek Road; Richard Martin, 9 Pinehurst Street)

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

3) Intent to Cut Applications, Jim Petersen and Floyd Gorveatt

4) Intent to Cut Application, Thurston's Landing South, Map 21, Lot 1-1

5) Intent to Cut Application, Map 21, Lots 4 and 6, Thurston's Landing

6) Current Use Application by Normand Massie, Map 30, Lots 2 & 3

7) Land Use Change Tax Warrant, Map 30, Lots 2 & 3, Map 43, Lot 6

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

8. OTHER BUSINESS

A. Ethical Questions re Budget Committee Member, Lisa Riley

Selectman Charbonneau said something was brought to her attention that raised ethical questions. At the Budget Committee meeting the other night, when the Library budget came up, Lisa Riley, Chairman of the Library Trustees, engaged in discussions of the Library's budget while still seated as a Budget Committee member. Selectman Charbonneau felt that this was a conflict of interest and Lisa should be brought before the Ethics Committee. She felt that Lisa should have stepped down and refrained from commenting on it whatsoever and thinks something should be done about it.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, that the Ethics Committee look into what happened at the Budget Committee meeting when the Library came in and Lisa sat in her seat and gave the report instead of stepping down.

Selectman Seabury said the Selectmen's representative doesn't have to step down when the Selectmen's budget is presented. She asked why Selectman Charbonneau thought it was an ethics issue. Selectman Charbonneau said when Selectman Jasper is there, he is there representing the Selectmen, but he does not present a case for the Selectmen. Selectman Jasper said yes, he does; that is his job. Selectman Stewart said the difference is that Lisa is elected, not appointed, as Library representative. Selectman Jasper said the difference with School Board and Selectmen. They are ex-officio members, there by virtue of their office and to represent their respective boards. Lisa just happens to be a member, but he questioned whether or not she presented the budget. Selectman Charbonneau said two or three people told her Lisa presented it, which maintaining her seat. She is an official member of the Budget Committee and that is a different position than Selectman Jasper's. She said she'd like a legal opinion on this because she thinks Lisa was wrong. She was taking care of the Library Budget and as a Budget Committee member, she shouldn't have done that.

Paul asked if this wasn't more of a procedural issue rather than an ethical issue. Lisa didn't get any personal aggrandizement from presenting the

Library budget to the Budget Committee and he couldn't believe that there hasn't been a similar situation in the history of the Budget Committee, where a Coleman Kelly would be on the Budget Committee and Cable TV and be there as a member and as a resource. Probably the Budget Committee themselves ought to police those kinds of things.

Selectman Charbonneau thought it was a conflict of interest. Selectman Jasper didn't think anything rises to the level of bringing the individual to the Ethics Committee for actions that occurred at that time. However, he would not be opposed to getting an advisory opinion from the Ethics Committee as to whether or not a member of the Budget Committee can also be a Library Trustee, or a member of any other committee (either elected or appointed) and if, other than the two ex-officio members, should sit and vote on the budget or step away from the table and not participate, or participate in discussion and not vote.

Selectman Charbonneau said she (Lisa) should have let a Library Trustee from the audience present the budget, but she didn't; she presented it herself, and Selectman Charbonneau didn't think that was right. She was, however, willing to withdraw the motion in favor of Selectman Jasper's suggestion.

Motion by Selectman Jasper, seconded by Selectman Charbonneau to request an advisory opinion from the Ethics Committee whether or not it is possible for a Budget Committee member, who is elected/appointed to a committee/board to present/participate/vote on the budget of the committee/board to which they are elected/appointed carried unanimously.

The Board would like two opinions: one for an appointed member and one for an elected member, in case there is a difference between the two.

B. Resignation Offered by Selectman Jasper as the Selectmen's Representative to the Budget Cmt

Selectman Jasper offered his resignation as the Selectmen's representative to the Budget Committee, but Chairman Madison did not accept it, saying she'd like him to finish out the year, as there is only a month or so left. Selectman Jasper said that wasn't the point. He felt attacked earlier on. He spoke with Chairman Drabinowicz, who said he had told the Chairman there was one other time, and he'd like to tell the Selectmen about that. He doubted that anyone realized it, but in the Visioning budget, there is \$6,000 for three luncheons, which would supposedly feed up to 200 people. The Budget Committee felt that that was too much money for a catered lunch. You can do a lot better than \$10 a head, if you can even get 200 people to participate. So the Budget Committee cut it to \$3,000. He voted against the cut and for the \$6,000. Selectmen Charbonneau and Seabury expressed surprise at the high cost for the luncheons. Selectman Jasper said anyone will tell them he defended the Selectmen's budget unless the department heads agreed to a cut. Regarding the vote on the Recreation's budget, he knew it was going to be revisited on the 15th and he knew he would be getting his marching orders from the Selectmen tonight. He, therefore, was offended by the Chairman's tone when she talked to him and by the things that she said because he has been very diligent and made it very clear that he was doing the Selectmen's bidding. He didn't feel that he violated that because he knew it was coming back.

Selectman Seabury said she got a lot of flack over this and it wasted her whole weekend. Selectman Jasper apologized, saying he had no idea that was going to happen. He didn't make the motion, nor suggest the cut. If he voted no, it would have only been 8-2. His vote was not the deciding factor. Chairman Madison said that aside from being on the phone all weekend with this, when she went into Dunkin Donuts on Sunday morning, someone yelled at her from the other side of the counter, "What are you Selectmen doing, cutting the Rec budget." She was also told that he was going to ask the Selectmen to send him back with a motion *not* to reconsider. Apparently no one called him over the weekend. He said Ann called him, but he was out of Town from 6 a.m. Saturday till 6:00 Sunday night, and he called Ann back at 8:00. He didn't think anyone even knew about the vote. Chairman Madison said half the Town knew about it half an hour after the Budget Committee meeting. Selectman Charbonneau said, relative to the \$3,000 cut, it should have been more.

Chairman Madison said to Selectman Jasper, "Since you are always one for the last word, I do need to say, that is not what I said. What I said, you go before the Budget Committee, tell them how you feel, and then say, 'Buy I have to vote either yes or no because this is how the Selectmen,' and all I'm asking you is that when you go before the Budget Committee, not only say yes or no, but support our stand." Selectman Jasper said then give him some way to support \$6,000 for lunch. He didn't doubt that she got a lot of calls over the weekend, but when people get three calls, they say their phone was ringing off the hook. (Talking over each other.) Chairman Madison said his point is well taken, but she was upset over this whole thing because it is a program the Board really supports. She really wished, however, he would not resign. Selectman Jasper said if the Board doesn't accept it, he won't resign, but if the Chairman doesn't feel like he is representing the Board, he will. Chairman Madison said no one was going to accept the resignation, so they should move on.

Selectman Seabury asked the Chairman to ask Selectmen Jasper if he would move to bring the subject back on the floor (at the Budget Committee meeting on the 15th.) Selectman Jasper said he got the message and would vote to reconsider and vote to fund it, adding that he still thinks there are some problems with the program. Selectman Charbonneau was very concerned about the \$6,000 luncheons. Chairman Madison said they weren't talking about that now, reiterating that Selectman Jasper promised to bring up the other item at the Budget Committee meeting.

C. Parking Ban on Patricia Drive

Chairman Madison said she'd like this to be referred to the Highway Safety Committee so they can incorporate all of the other streets in the area and come back with the ordinance. Selectman Seabury so moved, seconded by Selectman Jasper.

Chairman Madison asked if the Board wanted this back for the next meeting. Paul wasn't sure that could happen, saying he didn't know when their next meeting was. Selectmen Jasper and Charbonneau felt that, as Town employees, they could schedule a meeting to handle the matter.

Vote: Motion carried unanimously.

D. CHIPS Program

Chairman Madison asked for a motion from the Board to issue a recommendation that the Budget Committee reinstate the CHIPS program. Selectman Jasper said it has already been reconsidered once, so it needs to be done at Town Meeting.

(Start Tape 4, Side A)

E. Setting up Meeting with School Board

Chairman Madison said the Board wanted to meet with the School Board to see if they can clear up the (Alvirne) parking problem. At one time, it was forwarded to the School Board, so she thought it was going to be handled by them, but apparently nothing has been done. Selectman Jasper said the Chief of Police should be included. The Board preferred an evening meeting, as soon as possible.

Chairman Madison noticed several hands raised by people who were in the audience. She said they have already had public input and, unless this was something that was new and the Board hadn't already discussed, she preferred not to hear from anyone at this time.

Steve Boucher, who lives on Alvirne Drive, said he talked to the School Board about this issue, and he got a curt smile. They stated they could do nothing about off-site parking. Kathleen Vandergraf said they've already been to the Highway Safety Committee and they met with the school, who is not going to take any action at all on this. Chairman Madison said this issue is referred to the Highway Safety Committee for them to incorporate the appropriate language for a draft ordinance, and it will have a public hearing--probably at the January 27th meeting.

9. LICENSES AND PERMITS**A. Hawker/Peddler Request from Cal Green to operate a mobile catering unit**

Motion by Selectman Seabury, seconded by Selectman Stewart, to approve Cal Green's request for a Hawker-Peddler license permit, with the provision that his Food Service License be renewed in March and his State license be renewed in July, carried 4-1. Selectman Charbonneau was opposed.

B. Hawker/Peddler Request from Joseph Kubit, Jr. to operate a mobile catering unit

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve Joseph Kubit, Jr.'s request for a Hawker-Peddler license permit carried 4-1. Selectman Charbonneau was opposed.

C. Raffle Permit Request by Hanna Dustin Quilters Guild to hold a raffle on 12/7/98 of a Carolina Quilt, with ticket sales from present to 12/7/98

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to approve the raffle permit request carried unanimously.

10. ACCEPTANCE OF MINUTES**Minutes of the December 30, 1997 Meeting**

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

11. COMMITTEE ANNOUNCEMENTS

1/13 Voting Day for Special Election (Water Company)

1/13 Last Day for Petitioned Warrant Articles

1/14 7:00 Planning Board in P/Z Mtg Rm

1/15 7:30 Bgt Cmt in P/Z Mtg Rm

1/17 9:30 am Regional Roundtable @ Crowne Plaza in Nashua

1/19 Civil Rights Day Holiday--Town Hall Closed

1/19 6:30 Bond Hearing--School Department, Selectmen's Meeting Room

1/19 7:30 Bgt Cmt in Selectmen's Meeting Room

1/20 7:30 Bgt Cmt in Planning/Zoning Meeting Room

1/21 Filing Period Begins for 3/10 ATM

1/22 3:00 Swearing in of new Police Officers at HPD

1/22 7:30 ZBA in P/Z Mtg Rm

1/26 Last Day to Post the Warrant

1/26 7:30 Conservation Commission in P/Z Meeting Room

1/27 7:30 BOS in Selectmen's Meeting Room

1/28 7:00 Planning Bd in P/Z Mtg Rm

1/30 Town Report Due

1/31 Filing Period Ends for 3/10 ATM

2/03 Special Election Primary Day

Chairman Madison said she needed to set up another meeting for the Board to meet with the department heads. Selectman Seabury said her schedule allows for a Monday, Tuesday or Thursday. Paul suggested substituting the senior department heads on February 2, instead of the other department heads. The Board was in favor of that change. The other department heads will be scheduled for February 9.

12. LIAISON UPDATES

Budget Committee -- Chairman Madison said they pretty much know about what happened.

Planning Board -- Selectman Stewart did not have an update.

13. REMARKS BY THE SELECTMEN

Shawn N. Jasper apologized for staff for being unable to make the meeting this afternoon, but he thinks he has been a faithful attendee of many things. He has taken a lot of time off. He was out learning how to drive the new fire truck, and it is wonderful, adding that Lorraine spent a lot of time driving around Town in it yesterday. (Chairman Madison said she didn't get to get to drive the new truck--but she *did* get to drive the ladder truck.) Selectman Jasper said the other thing has to do with the water company and a long-time resident of 48 years, who the majority of the Board appointed to the Sewer Utility last week. He hoped the members would consider reconsidering that. The man is unable to tell fact from fiction and the truth from a lie and, in an important issue like this, it is important that a person have ethics--and there is obviously a total lack of ethics in this individual. (Selectman Jasper referred to an information sheet that this individual had put out.) He said it was a travesty that the majority of the Board would appoint such an individual to a Town board that is totally and absolutely lacking in ethics--particularly since they had a discussion on ethics this evening.

Rhona Charbonneau said she was upset over the information sheet that was handed out because it contained a lot of untruths. She thinks it was all wrong. It is O.K. to go against something, but speak the truth. She said she was seriously thinking of reconsidering her vote.

Ann Seabury said that's his manner of politics, using scare tactics, and he won't change. This is his method of dealing with things, but the majority of people don't believe him. People know he just blows smoke.

E. Lorraine Madison said she spoke at the Senior's Meeting last week, and he was handing out those sheets of paper and was reading from them. She refuted what was on them, but most of the Seniors believed him. After the vote to buy the water company tomorrow, Channel 13 will do a live interview with her at 10:00 p.m. tomorrow, unless someone else wants to volunteer to go in her place. Selectman Jasper said he'd be glad to. Selectman Charbonneau thought both of them should go. Selectman Jasper said he would go only if the Chairman didn't. Chairman Madison thanked Selectman Jasper for going in her place. Selectman Jasper said he found it hard to believe the other members supported the 48-year resident in this position since the voters have rejected him overwhelmingly, and they know he doesn't tell the truth. He didn't understand the thinking that votes to put him on a Town board and asked them to think about it seriously, adding that he hoped Rhona would make the motion at the next meeting. They aren't sending the right message to appoint someone who people continuously reject at the polls and precisely because of the fact he doesn't know the difference, or care about the difference, between the truth and a lie. Selectman Charbonneau said everyone has a right to object if they don't believe in something, but it should be the truth.

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; and (b) The hiring of any person as a public employee.

Nonpublic Session was entered into at 10:35 p.m. and was terminated at 10:47 p.m.

Open Session

Motion by Selectman Jasper, seconded by Selectman Stewart, to authorize the hiring of Joyce Pike as Senior Accounting Clerk, at \$11.59 per hour, Grade IX, Step 2, effective January 25, 1998 and to authorize the posting of the position of Sewer Utility Clerk carried unanimously.

15. ADJOURNMENT

Motion to adjourn at 10:48 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