

HUDSON BOARD OF SELECTMEN**Minutes of the October 14, 1997 Meeting**

7:00 Presentation by HEDCorp

Chairman Madison recognized HEDCorp Chairman, Fidele Bernasconi, who recognized Executive Councillor Jim Normand. Councillor Normand introduced John Duclos, Department of Resource and Development (DRED), and Jack Donovan from the Business Finance Authority.

Councillor Normand presented Chairman Madison with a resource manual put out by DRED. Under certain types of programs outlined in Federal regs, through an agency such as BFA, states can give low-interest and tax free bonds. It's a federal tax loophole that allows entities to buy on a tax free basis, resulting in lower interest rates. If BFA grants a loan to HEDCorp, HEDCorp can find someone to fit the category--for instance, a non-profit water precinct or a manufacturing facility. HEDCorp can go to someone who wants to relocate to Hudson and tell them they have \$10 million available at a tax-free financing rate of, for instance 5½, which is much lower than the banks. Over a 30-year bond, the savings would be about ¾ of the principal. Through BFA and HEDCorp, on a \$10 million loan, the savings would be about \$7.5 million.

Jack Donovan said the Business Finance Authority is the old State Industrial Development Authority, which was set up in the 1950's and built most of the industrial parks. In the 70's, the agency was reformulated and they issue \$2 billion worth of debt for private businesses. They are able to issue debt on a tax-exempt basis for manufacturers, private water companies, etc, with the premise being that cheaper capital allows people to expand and grow. They financed the building that Premier Industries bought that was kiddy-corner from them. They also finance any kind of depreciable asset, acquisition of buildings, expansion and equipment. Current rate is about 4-5 on a variable rate and 6-6½ on fixed rate debt. This is something that they are using to lure people back over from Massachusetts and there has been a tremendous amount of interest. Due to its close proximity to the border, Hudson is an attractive location. Nashua is fairly full and is moving out in either direction along 111 and 101-A, out as far as Brentwood and Milford. They are currently talking with Presstek and a couple others.

The Business Finance Authority has the ability to lend groups like HEDCorp money. They borrow money and re-lend it, using the State's backing to do that. They wanted to let Hudson know they were available to do whatever they could to help.

Selectman Seabury asked how they were tied in with the Office of State Planning. Mr. Donovan said they were a different entity, although they worked on some things with them. He said they were more customer-service driven and less bureaucratic. They provide a service that has to be responsive time-wise and price-wise to the user, and do not refer to themselves as government or state. They have a board of nine that makes all the decisions and they turn around stuff very quickly. The Chairman is Ed Caron, a Hudson resident. Selectman Seabury asked if he did contract work and if the Town would pay him. Mr. Donovan said they are paid by the end user of the financing and they only get paid if they are successful in raising the money. For instance, with SignMax, they wouldn't have gotten any money. He said their typical application consisted of only two pages. They deal in private money, not federal money, such as OSP.

Chairman Madison asked if there was a limit on the amount of the bond. Mr. Donovan said private stuff is capped at \$75 million on an annual basis and they have unlimited ability to issue bonds for nonprofit groups. Chairman Madison said the water company wouldn't be private. Mr. Donovan said they do a lot of work with Pennichuck.

Mr. Duclos said his office, the Office of Business and Industrial Development, provides services to businesses. He passed out copies of the Resource Directory and the State Financing Opportunity bulletin. They have two recruiters on staff who work with companies who are interested in moving to New Hampshire. They devote most of their time to responding to inquiries or searching companies that are looking to move in. They also do some in-state expansion by

handling those companies that are large and looking to expand. They both have real estate backgrounds and have worked on some of the larger companies, such as Fidelity. About 80% of their growth is with existing companies. They have several staff members, Retention Expansion Specialists, who work with existing companies and try to meet their needs. Through an extensive referral system, they work with about 20 organizations (state, private, private/non-profit) to try to match the needs of the companies. They also have a procurement assistance program which assists NH companies in getting government contracts. So far this month, they've assisted NH companies in over \$3 million worth of contracts.

They have a vendor match program which assists companies in locating sources of material they may not know about. They also have a data base of existing buildings and properties that are available for companies that are either looking to expand or move into the state. The Office of International Commerce is located at Pease, which does the various trade missions and assists a companies that are looking to export. Primarily, DRED is a place of assistance where a person or a company can go to find answers to a particular need. They try to be customer-oriented and there is as little red tape and paperwork as possible. If they don't have the answer, they will try to find it, rather than send the customer off to find it somewhere else.

There being no questions, Chairman Madison thanked everyone for coming.

(Start Tape 1, Second Side)

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 7:30 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 Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant/Recorder; Steve Malizia, Finance Director; Susan Snide, Zoning Administrator; Mike Reynolds, Town Planner; Richard Gendron, Chief of Police; Capt. Bill Closs; Officer Mike Gosselin; Officer Kevin Sullivan; Officer Tom Scanzano; Sgt. Al Semple; Dorothy Carey; Frank Carpentino, Fire Chief; Shane Sewade, Fire Prevention Officer; Jamie Paquette, Firefighter; Lenny Smith; Fidele Bernasconi; John Beike; David Alukonis; Webb Palmer; Dan Shubelka; Bob Clegg; Don White; Richard Maynard; Howard Dilworth; Coleman Kelly; Tim, SUN; Reporter from TEL; Len, HLN

4. **PUBLIC INPUT**

Representative Don White presented a petition to Chairman Madison, asking the Board to reconsider a vote taken not to petition the Governor to hold a special election to appoint a Representative to the seat vacated by David Feng. Chairman Madison thanked him and said she'd take it under advisement.

Chairman Madison read and presented Certificates of Recognition to Police Officer Michael Gosselin for saving the life of a distraught individual who was threatening to commit suicide by jumping off the Taylor Falls bridge and to Police Officer Tom Scanzano, who saved the life of an individual by administering emergency CPR in the parking lot of a convenience store. Chairman Madison expressed the Board's gratitude, thanking the officers for their professionalism and quick thinking.

5. **CORRESPONDENCE RECEIVED**

A. FROM: Leo Francoeur

RE: Zoning Petition

REFER TO: Planning Board & Town Attorney

B. FROM: Residents of Alvirne, Patricia and Sunland Drives

RE: Parking Ban on Patricia Drive

REFER TO: Highway Safety Committee

C. FROM: Richard Gendron, Chief of Police

RE: In-Car Video Cameras

REFER TO: New Business

D. FROM: Frank Carpentino, Fire Chief

RE: Citizens Fire Academy

Adjusted Citizens Fire Academy Schedule

REFER TO: New Business

E. FROM: Frank Carpentino, Fire Chief

RE: Receipt of Donations

REFER TO: New Business/Public Hearing

F. FROM: Presentation of Mary Academy

RE: Request to display Oktoberfest Banner on Town Common

REFER TO: New Business

G. FROM: Van & Melissa Johnson

RE: Request for a Permit to build a 2-Car Garage

REFER TO: New Business

H. FROM: Sue Snide, Zoning Administrator

RE: Building Permit Request--Map 43, Lot 6, 14 Breakneck Road, Holton Property

REFER TO: New Business

I. FROM: Mike Gospodarek, Town Engineer

RE: Street Acceptance, Washington Street Extension

REFER TO: New Business/Public Hearing

J. FROM: Jim Michaud, Assessor

RE: Various Assessing Items

REFER TO: New Business

K. FROM: Sewer Utility Committee

RE: Notice of Sewer Acceptance--Thurston's Landing East

REFER TO: New Business

L. FROM: Sewer Utility Committee

RE: Application for Abatement

REFER TO: New Business

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

6. OLD BUSINESS

A. Personnel Policies--Political Activities (On 9/23/97 agenda)

Chairman Madison said this was put on the agenda in error. At the Board's September 23rd meeting, it was decided that this was to come back to the Board at the end of October, after Paul had completed the other portion.

B. Sewer Capital Reserve Account (SCRA) (On 9/23/97 agenda)

Chairman Madison recognized the Town Administrator. Paul said at the last meeting, this was deferred, pending a meeting between Tom Sommers, Steve Malizia, Karen Burnell and him to try and sort out the issues and make a recommendation. Steve has talked with Karen and Steve, Tom Sommers and he met this morning. Their consensus is that reserve accounts should be under the aegis of the Trustees of the Trust Funds, at the direction of the Board of Selectmen, with certain caveats about keeping the funds liquid and readily accessible for doing the necessary projects. Tom Sommers is going to take that back to the Sewer Utility Committee on Thursday and there should be a letter back for the next agenda to formalize it.

Motion by Selectman Jasper, seconded by Selectman Stewart, to defer this matter until after the letter is received carried unanimously.

Selectman Seabury wanted the Sewer Utility Committee to could before the Board to talk about this before they vote on it. Paul said sure, if that's the way they wanted to do it, but there is real concern that the money be liquid so that it can be tapped on fairly quick notice. If the Board decides that the Trustees ought to be caretakers of the money, it ought to be with the understanding that when the Board of Selectmen say they need money made available right away, it is.

C. Requests for Town-Owned Land

1) Shirley Bergeron's request for a parcel located on Bush Hill Road

Chairman Madison asked for a motion to refer this matter to the Town Attorney to prepare the bid documents. Selectman Stewart so moved, seconded by Selectman Jasper.

Chairman Madison said the Town acquired this land for non-payment of taxes and the Selectman have been authorized by Town Meeting to sell such property. (A legal opinion on this matter, as well as a map, was included in the agenda packet.)

Selectman Seabury asked what the lot sizes were, saying that if she subdivides her lot, she can build on it. Chairman Madison said the Board could stipulate that it not be built on. Selectman Jasper said the existing house is right in the middle of the lot, so he didn't think she was going to subdivide and didn't think they had to be concerned about that now.

Paul said that the only staff comment that was opposed to selling the parcel was by the Town Engineer, who recommended the Town retain some additional frontage for road widening. Chairman Madison stated that the Town Engineer recommended retaining a 30' width along the frontage of the property. Selectman Seabury agreed, saying that there was a lot of development up there and the road would have to be widened and they would have to pay for it. Selectman Jasper said the normal right of ways in Town are 50', 25' from the center line. The recommendation read like it was 30' from the edge of the current road and, if so, he thought 30' was excessive. There wouldn't be too much left to the piece she is asking for.

Vote: Motion failed by unanimous vote.

Selectman Jasper thought this should be referred back to the Town Engineer for clarification of why he feels that 30' from the edge of the right of way would be prudent and is something less than that might be acceptable. Selectman Stewart seconded it. Motion carried unanimously.

Selectman Jasper asked that the Town Engineer include the dimensions of the lots when it comes back to the Board.

2) Two requests to purchase Eayers Pond Lots:

a) Kathie Loughran-Turnquist

b) Melissa Kiluk

Chairman Madison said the Town Planner recommended that this property not be sold because it is included in the Master Park Plan and the Town may consider it for recreational use. He doesn't feel that even a portion of the land should be sold at this time. The Master Plan is for an approximately 6.2 acre site and much time and input was contributed by Town officials toward the planning of the park.

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

7. NEW BUSINESS

A. In-Car Video Cameras

Chairman Madison recognized Police Chief Gendron, who said the estimate to repair one camera (purchased in 90-91) is \$1,000. The equipment is getting old and tired, so he reduced the use just to late nights, capture and DWI arrests. One camera can be repaired. It is the main cable that runs from the trunk to the head. The estimated cost for a new in-car video system is \$5,400. He has included the cost to purchase four new ones in his upcoming budget. Tonight, he was asking for authorization from the Board to transfer some money to pay for the repair costs.

Selectman Jasper said, in keeping with the Board's practice, the Chief does not need Board approval to handle this. Chairman Madison said the Chief wanted this to come before the Board so there would be no surprises down the road. Selectman Jasper said he appreciated it as informational purposes, but a motion was not appropriate. Paul agreed, but also shared Chief Gendron's concern that if he spent the money now, he'd have to answer for it later. Selectman Jasper said the repair work should be done because the cameras are an invaluable tool. Selectman Seabury agreed. Chairman Madison told the Chief he has the approval, without a motion.

B. Citizens Fire Academy/C. Adjusted Citizens Fire Academy Schedule

Chairman Madison said no Board action was required, but the Fire Department wanted to make a presentation. She recognized Chief Carpentino, who thanked the Board and Paul Sharon for attending the Fire Department's award ceremonies Saturday night, and then he recognized Jamie Paquette, who put together the program. Jamie Paquette said the academy was different from the Police Department's academy, but they did use their outline to start the program. They put together a 9-week, 11-session program that would allow the townspeople a chance to interact with their Fire Department and learn what they do and why they do them. Participants will be certified in CPR, Level C. They will also do a day trip to the Nashua training grounds and they will go into the smoke house, which will show them what a difficult a job fire fighters have to do. He expects that some cars will be donated that will be used for auto extrication, using the Jaws of Life. They also plan to have a fire extinguisher class, using all different types of extinguishers. They will do a trash fire, a stove fire, and they will talk about all aspects of the Hudson Fire Department, including fire prevention, fire suppression, the rescue aspect, the emergency medical service, communications, etc. The person who is doing the Citizens Fire Academy in Nashua looked at their program and said they have some good ideas. The starting date is November 6 and will be held on Thursday nights from 6:30 - 10:00 at the Central Fire Station.

(Start Tape 2, Side A)

Selectman Charbonneau asked if the participating fire fighters were doing this on a volunteer basis and not expecting overtime pay. Chief Carpentino said everything being done was on a volunteer basis. The only cost to the Town would be the use of the room and a couple pots of coffee.

Chairman Madison thanked the Chief and Firefighter Paquette.

D. Receipt of Donations, including Public Hearings

- 1) \$150 cash donation from the Professional Firefighters of Hudson**
- 2) \$150 cash donation from the Hudson firefighters Relief Association**
- 3) Two sets of turnout gear from Globe Manufacturing**
- 4) \$235 worth of fire extinguishers from NE Fire Equipment of Nashua**
- 5) One Akron Apollo Monitor, estimated value of \$150**
- 6) Lighting for the KNOTS program by Manny Sousa and installation of the lighting by Accurate Electric**

Chairman Madison opened the Public Hearing, pursuant to RSA 31:95-e and RSA 31:95-b, relative to the items listed above at 8:00 p.m. and asked if anyone wished to speak. There was no response, so she declared the public hearing closed.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to accept the donations.

Selectman Stewart asked where the lighting was going to be installed. Chief Carpentino said at the Recreation building. Inspector Sewade, who works with the KNOT program, was recognized. He said that Manny Sousa was donating three lights and two poles and the work is being donated by Accurate Electric, a \$900 donation, which will improve the lighting at the Rec Center. There isn't enough lighting for the amount of kids they get at the center for KNOT night, and sometimes it's hard to keep track of them. Road Agent, Leo Lessard, said they would assist in putting up the poles. The Fire Department and Police Departments both work with the Rec Department on this program.

Vote: Motion carried unanimously.

Chairman Madison asked Selectman Jasper if he changed his voting mode and wanted to vote on a Fire Department issue. Selectman Jasper said he has not intentionally changed his voting practice.

E. Request to display Octoberfest Banner on Town Common

Chairman Madison asked for a motion to approve the request, providing PMA works through the Zoning Administrator and the Fire Department. She recognized Kathy Leary, who was representing PMA and a Chairman of the Octoberfest, a family-oriented activity that is a fundraiser for a lot of the extra things the parents group provides the school, such as field trips. The fair includes children's games, face painting, a bake sale, etc. This year, they worked with Pepsi, who presented them with a large, vinyl professionally-done banner, announcing the date, time and location of the Octoberfest. She hoped that the banner could be displayed at the northern triangle of the common so that cars heading down 102 from Litchfield could see it as they enter Hudson, in the same area that the wooden soldiers are put up for Christmas. The fair is the 25th, so it will be up only a week or so.

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the request, with the provision that PMA work through the Zoning Administrator and the Fire Department carried unanimously.

F. Request for a Permit to build a 2-Car Garage/ Discontinuance of Right of Way (Melissa and Van Johnson)

Chairman Madison recognized the Town Administrator. Paul said the request is for abandonment of part of what used to be the original Speare Road, adjacent to Mr. and Mrs. Johnson's house on Kimball Hill Road. (The Johnson's had a map that they, Chairman Madison and Paul held up for the Board to see while they discussed it.) He said it was a straightforward request. Old Speare Road was originally planned to come in and join Kimball Hill Road, but Speare Road was constructed in another place to connect with Kimball Hill Road. It leaves a partial paper street, a portion of which has already been abandoned. The Johnsons own a portion of what used to be the right of way and the property owners on the other side own what used to be the other half of that right of way. For some reason, it wasn't continued to the end. The Johnsons are asking for discontinuance of their half of the right of way to allow the construction of a garage. Staff did not have any problems with the request as there are no plans for that right of way. It probably should have been abandoned in its entirety at the time it was partially abandoned. He recommended that the request be granted.

Selectman Seabury asked if there was another abutter. Paul said yes, but he didn't know who it was. Selectman Charbonneau said the other abutter would have to be notified because if they objected to owning the other half, the Town couldn't give it away. Paul said they could. It was a 15' strip. Chairman Madison thought the abutters would have to be notified that the Johnsons were going to build a garage. Selectman Seabury said they would have to be notified that they were getting the land. Paul asked Susan Snide, Zoning Administrator, if the abutters on the other portion of the right of way were notified. Susan said she did not notify them and didn't know if anyone else did. Paul said the Board could opt to vacate just the half.

Selectman Jasper said, based on previous legal opinions, the road has already been abandoned and it reverts automatically. Chairman Madison referred to Attorney Ratigan's legal opinion on this matter, stating that on Page 3, it says, "It should be noted if the road was dedicated, shown on a subdivision plan, after 1913 but prior to 1989, the roadway will be released from public servitude automatically if it was not opened or constructed within 20 years of dedication. After 1989, the road may be released by vote of the legislative body." On Page 4, it says, "In conclusion, it would appear that neither the Town nor the public has any rights to the road and that the Johnson's own only to the middle of the road in question with the abutting landowners across the former road owning the other half. It appears that owning half the road will provide (the Johnson's) with sufficient land to meet the setback."

Selectman Charbonneau asked how large the Johnson's lot was. Paul said about an acre. Selectman Jasper said all the Board needs to do is give the legal opinion to the Zoning Administrator and tell her that the road doesn't exist, regardless of what the maps show. Selectman Seabury was concerned about notifying the other abutters. They should be informed that they have extra land that they will be assessed for and will have to pay taxes on. Selectman Jasper said that it just happens and, according to the legal opinion, it already happened. The Assessor's maps may need to be corrected. He didn't know if there would be any significant change in the value or not. It is already a done deal.

Motion by Selectman Jasper, seconded by Selectman Stewart, that, in accordance with the legal opinion received on this matter from Atty.

Derosiers, they inform the Zoning Administrator that the road has automatically reverted to the abutters and that the new property line is the center of the former road and that the Assessor correct his property tax maps accordingly.

Selectman Seabury asked how the deeds would reflect this action so that there isn't a problem 20 years from now. Chairman Madison said it is the abutters' responsibility; the Town doesn't own the land. Selectman Seabury thought an amendment to the motion was in order to inform all of the abutters that they own more property than they realize. Chairman Madison said the abutters could be notified. Selectman Jasper said the abutters can be told that the Board of Selectmen recognizes that they own half of the former right of way. Chairman Madison said it is up to them to update their deeds. Paul said the part of the road that was discontinued was done so by vote at the 1950 Annual Town Meeting; it does not belong to the Town. Selectman Seabury said she wanted it spelled out how much feet each abutter actually owns, and she wants it done publicly, so that everyone else knows, too. Chairman Madison said that was fine, but if they (the abutters) don't do anything about their deeds, and they go to sell their property in 20 years, they are the one that's going to lose. It's up to the land owner to re-do his deed; it's to his benefit. Selectman Seabury said the Assessor and the abutters should be informed. Chairman Madison said that would happen.

Amendment by Selectman Jasper to notify the abutters, seconded by Selectman Stewart.

Vote on the amendment carried unanimously; vote on the main motion, as amended, carried unanimously.

G. Building Permit Request--Map 43, Lot 6, 14 Breakneck Road, Holton Property

Chairman Madison recognized Zoning Administrator Susan Snide, who said Breakneck Road was never properly developed. When Mario Plante proposed to improve his property, Breakneck was going to connect with Kienia Road, but now the improvements will stop short of the Holton's property and they won't have any formal frontage on an improved road, only on a Class 6 road. The statutes say that a building permit cannot be issued on a Class 6 road unless the governing body approves it, after the Planning Board has approved it. The Planning Board did give their approval and that is why this is before the Selectmen. The Holtons are agreeable to signing a hold harmless agreement, saying that if they call for emergency services and there is damage or reasons why the emergency vehicles cannot reach the property, they won't sue the Town or hold the Town liable, and that will be recorded at the Registry.

Motion by Selectman Jasper, seconded by Selectman Stewart, to grant approval upon the execution of the release of responsibility and liability carried unanimously.

(Start Tape 2, Second Side)

H. Street Acceptance, Washington Street Extension, including Public Hearing

Chairman Madison opened the Public Hearing at 8:25 p.m. and asked if anyone wished to speak on this issue. There was no response, so she closed the hearing.

Motion by Selectman Jasper, seconded by Selectman Stewart, to accept Washington Street Extension as a Town street.

Selectman Jasper said he wanted to be sure the Highway Department is satisfied with the street. He didn't see anything in the packet whether or not they have any issues with it. Paul said that Leo does not have any problem with this particular street but, in the future, he will be included in requests to provide comments. Selectman Charbonneau said there should be something in there indicating Leo has seen it. Selectman Jasper said that really hasn't been part of the process, and it's a flaw in the system. Paul said that was a good point. Selectman Jasper said they would take Paul's word as assurance that Leo had no issues with this. It's an old issue that involved one hydrant.

Vote: Motion carried unanimously.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to always include the Road Agent when requests for approval come in carried unanimously.

I. Assessing Items

1) Warrants for the collection of Yield Taxes

a) Farmington Drive, Map 28, Lot 4

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

b) Bush Hill Road, Map 19, Lot 4

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

2) BTLA Docket 16682-96PT, 153 Lowell Road, Map 13, Lot 7

Motion by Selectman Jasper, seconded by Selectman Seabury, to grant the abatement carried unanimously.

3) Intents to Cut Wood or Timber (Shepherd's Hill Subdivision; Thurston's Landing Subdivision)

Motion by Selectman Jasper, seconded by Selectman Stewart, to sign the Intents to Cut carried unanimously.

J. Notice of Sewer Acceptance--Thurston's Landing East

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to accept, as recommended by the Sewer Utility Committee, carried unanimously.

K. Application for Sewer Abatement (Ref #4 SUTL-98-11 George Guilmet, 18 Partridge Cir, \$14.29.)

Motion by Selectman Stewart, seconded by Selectman Charbonneau, to grant the abatement, as recommended by the Sewer Utility Committee, carried unanimously.

8. OTHER BUSINESS

A. Request by Road Agent for Authorization to Advertise for Solid Waste Contract

Chairman Madison said Leo has gone over the contract and has made some corrections. He'd like to advertise for this so he can start receiving some RFP's .

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

B. Donation of Chrysanthemums for the Floral Barrels in Town by the Chamber of Commerce

Chairman Madison thanked the Chamber of Commerce for the flowers they donated for the barrels that Lt. Morin of the Fire Department volunteered to plant and water. In addition, she thanked the Highway Department for all the work they did this year on the islands and with the barrels.

C. Highway Safety Committee Items

Chairman Madison said some time ago, a former Board member requested that Highway Safety items be routed through the Board. Since nothing formal was done to institute this procedure, and to cut down on some of the Board's paperwork, when received, these requests will be routed directly to the Highway Safety Committee. They will refer any issues that need Board approval back to the Selectmen, as appropriate. Selectman Jasper said this was a 'marvelous' idea.

D. N.R.P.C. -- Merrimack River Watershed Council

Chairman Madison said NRPC is looking for a designee who will be responsible for coordinating the community's input. She said Mike Reynolds has been on top of this and she'd like him to continue. She asked if anyone had any problems with that. There was no response, indicating that no one did.

E. Electric Poles and Wires

Chairman Madison recognized Paul, asking him to provide an explanation. Paul said there was a landmark ruling some time ago in the State of New Hampshire that made electric poles and wires taxable after a concerted battle on the part of the municipalities to make that case. About a year ago, there was another case which found that telephone poles and wires were not taxable. The electric companies are questioning why the telephone companies are tax exempt and theirs are not, and they are appealing it. NHMA, together with the attorneys that were active in fighting the case in the first place, are trying to make a unified effort to defend the Town's position. Rob Upton and John Ratigan have been very active in that situation. Paul thinks the Board should stay on top of it and support them. Chairman Madison asked if everyone was in agreement with that. The consensus was yes.

F. Road Agent's Request for Authorization to Advertise to hire a Truck Driver-Laborer

Chairman Madison said this was on the agenda under Nonpublic in error, that it was an item for discussion in public. Leo has someone who is going to be retiring around October 31, so Leo would like to advertise now to fill that position when it is vacant.

Motion by Selectman Jasper, seconded by Selectman Stewart, to authorize the posting of the position of Truck Driver-Laborer, Pay Grade VIII, Step Minimum, carried unanimously.

G. Special Election

Selectman Shawn Jasper said the issue of a special election has been haunting them for some time. They are not ready at this time to ask for a special election, because it is important to coordinate it with the vote on the water company, but it is important for the Board to make an official stand. When he spoke with the media the other day, he tried to make it clear that the Board did want it to happen, if it could be coordinated. Since a public statement hasn't been made as yet, he felt that a consensus of the Board was in order that they commit to attempting to have a special election for the vacant Rep's seat, if it can be done in conjunction with, and within the time frame of, the water company taking process.

Chairman Madison said it was o.k. with her, and she was planning on bringing it up herself, but she was advised not to talk about this tonight, and that's why she didn't. She was advised to talk to the Board first and felt that's where it should stay at the moment. Selectman Jasper said the Chairman may have some information he didn't have, but he didn't know what there was to be careful about, so he was confused about that. There might be some problems with scheduling it, but they ought to let people know. He prefers not to have special meetings, but the statutes require it for the water company taking. Therefore, it makes sense to attempt to fill the vacancy at that time, as well.

Selectman Seabury asked when they would know dates. Selectman Jasper said they go to the PUC Thursday, and it will depend on how quickly they issue the order. They understand the time frames, and no one wants to see a Christmas Eve or New Year's Eve special meeting. Hopefully, the PUC will move on it quickly. Once they have that, they can start putting the dates together.

Chairman Madison asked if anyone had a problem with combining of these two issues. Selectman Charbonneau said most of them were waiting to see what was going to happen with the water company because they didn't want to hold two separate special meetings. If they can be combined, it would be beneficial to do it that way. Chairman Madison commended everyone for keeping the issue of the water company confidential. Selectman Charbonneau said the people didn't realize that that was a consideration when they took their stand on not petitioning to fill the Rep's vacancy when the request to do so was first made.

9. LICENSES AND PERMITS

Request for raffle permit by Presentation of Mary for a parent group fundraiser

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

10. COMMITTEE ANNOUNCEMENTS

10/16 7:30 Budget Cmt, P/Z Mtg Rm

10/16 7:30 Sewer Utility, Small Cnf Rm

10/18 Fall Cleanup @ West Road Landfill

10/20 7:30 Conservation Cmsn, P/Z Mtg Rm

10/21 6:30 Cemetery Trustees, P/Z Mtg Rm

10/22 7:00 Planning Board, P/Z Mtg Rm

10/23 7:30 ZBA, P/Z Mtg Rm

10/24 6:30 BOS Budget Mtg, Selectmen's Mtg Rm

10/25 9:00 am BOS Budget Mtg, Selectmen's Mtg Rm

10/25 Curbside Leaf Collection

10/27 7:00 BOS Budget Mtg (if needed), Selectmen's Mtg Rm

10/28 7:30 BOS Mtg, Selectmen's Mtg Rm

Chairman Madison asked if there were any changes or additions. Selectman Stewart said there was no Planning Board meeting on October 22.

11. REMARKS BY THE SELECTMEN

Terry Stewart thanked the Fire Chief for allowing her to participate on Saturday and to ride in the ladder truck. Lee Lavoie, from the CHIPS program, asked her to mention their Fright Night on October 24, 6-9 p.m. at the Lions Hall. He'd like as many of them as possible to stop by.

Shawn N. Jasper said he had asked if they set the hours of Trick or Treating and he was told that it was going to be on the agenda. He was reminded that last year the Board voted to hold Trick or Treat in Hudson on October 31, from 6-8, until they vote to do otherwise.

E. Lorraine Madison said they had a good time at the Fire Department's dinner Saturday night, and they gave out some nice awards.

12. NONPUBLIC SESSION

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

Nonpublic Session was entered into at 8:48 p.m. and was terminated at 8:55 p.m.

Motion by Selectman Jasper, seconded by Selectman Stewart, that Keith Bowen be paid \$600 for his work on the Fall Soccer Program and that Betty Smith be hired to complete the season and be paid the balance of \$250 and that Rick Harvey be paid \$2,700 as the Basketball Director carried unanimously

13. ADJOURNMENT

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to adjourn at 9:00 p.m. carried unanimously.

The Meeting was following by a parameter-setting session with Gary Wulf.

HUDSON BOARD OF SELECTMEN

E. Lorraine Madison, Chairman

Rhona Charbonneau

Shawn N. Jasper

Ann Seabury

Terry Stewart

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