

HUDSON BOARD OF SELECTMEN

Minutes of the August 19, 1997 BOS-Sewer Utility/CLD Meeting

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 7:00 p.m.

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

3. **ATTENDANCE**

Selectmen: E. Lorraine Madison, Rhona Charbonneau, Shawn N. Jasper, Ann Seabury & Terry Stewart

Sewer Utility/CLD: Tom Sommers, Sewer Utility Consultant; Mark Morin, Project Manager, CLD; John Bednar, Sewer Utility Committee

Staff/Others: Paul Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; John Ratigan, Legal Counsel; Steve Malizia, Finance Director; Leo Lessard, Road Agent; Michael Gospodarek, Town Engineer; Donna Lolos, Library Director; Lisa Riley, Chairman, Library Board of Trustees; Diane Callahan and Mary Jane Ames, Library Trustees; Howard Dilworth, Jr., Tim, SUN

4. **DISCUSSION OF TOWN'S SEWER SYSTEM**

Sewer Utility Consultant, Tom Sommers, apprised the Board of Selectmen of the increased rate of sewage flow to Nashua. On some days, the rate exceeds capacity, but on other days, when the ground is dry, it falls below, so it averages out somewhat, but he anticipates that within 18 months, the rate will have increased to the point that it will exceed the capacity.

Per the Intermunicipal Agreement with Nashua, the maximum capacity is 2,000,000 gallons per day. It appears that infiltration and inflow are reasons for the high percentage of flow, through broken/old sewer lines. He discussed the historic flow data and projected flows. Of some concern is the amount of approved projects that are scheduled to be built, which would add significantly to the flow. The Nashua facility is nearly at capacity, so they are addressing the situation, as well, looking at possible solutions, all of which would impact Hudson.

He then discussed the ramifications: Moratorium on new development; Potential stagnation of Sewer Utility Committee revenues; Loss of new sewer hookup revenues; Potential curtailing of expansion of

industrial base; and Increases in sewer and/or tax rate. He then presented possible solutions: reduce infiltration and inflow; institute water conservation measures; renegotiate Intermunicipal Agreement with Nashua; construct waste water treatment facility in Hudson, which was ruled out almost immediately as being cost prohibitive. (See attached copy of "Average Daily Flow" chart.)

Tom Sommers' recommendation was for the Town evaluate the system to determine the areas of infiltration. This study would take about a year and would cost around \$200,000.

Attorney-Client Session with Attorney John Ratigan from 8:25 to 8:55 p.m.

5. Other Business

Discussion of Land Acquisition w/Library Director and Trustees

Lisa Riley, Chairman of the Library Board of Trustees, introduced Library Director Donna Lolos. Lisa said the Trustees were in the process of trying to acquire land for future expansion. (See attached.) The first step in selection of a site. A Town-wide survey, done in October '95, indicated people wanted to keep the library where it is now, so the Trustees decided to pursue acquiring land adjacent to the library, a total of 2.15 acres, which would give them a total of 3.1 acres. It would allow them to expand the library, ample parking, plus retain green space. This would also tie in with the current plans to construct a bandstand on the Town Common. The projected cost is based on the assessed value of the properties. She would like to be able to negotiate ahead of time so they would have a firm figure to ask for; it's difficult to negotiate when the other side knows how much you have to spend. They were looking for advice and feedback from the Board.

Chairman Madison said she would support this effort 100% *after* the Town approves a Highway garage. Lisa said they are hoping to acquire land this fiscal year and the next year they would start with conceptual drawings of a library. There are three options: a) an addition to the current building; b) a separate building; and c) a separate building that is connected in some manner, such as by a walkway. Chairman Madison said the Town has never built a library and it's something the Town needs. When people decide to move to a new Town, it's sometimes based on the library facilities. Lisa said that with the reinstatement of HEDCorp, the Town is seeking companies to relocate here and, with that comes more people who will be looking for Town facilities that are attractive.

Selectman Seabury agreed the majority of the people want the library to stay where it is. She said she had a map that showed the educational/cultural places in Town, all within a two-mile radius, and that is one of the reasons why she wants to locate the bandstand on the Town Common.

(Start Tape 2, Second Side)

Selectman Jasper said the library is one of the few beautiful buildings in Town and they cannot add to it without detracting from it. Also, the Trustees didn't include costs for asbestos removal or demolition, and he didn't think they would be able to purchase the houses for \$75,000 apiece. He asked if the Board was prepared to go ahead with eminent domain proceedings, if necessary. Lisa said she hoped to be able to enter into negotiations without going to those lengths; eminent domain is the last thing they would want to do.

Chairman Madison said the Trustees already sent letters to the families involved, asking them if they were interested in selling. Lisa said the letter, reviewed by Attorney Ratigan before it was sent, stated the Trustees wanted to *investigate the possibility* and the only reason it was done that quickly was because they were presenting this to the CIP and she didn't want the people to learn about it by reading it in the newspaper.

Selectman Stewart didn't think the homeowners would sell for \$75,000. Selectman Charbonneau said there were problems in the area with asbestos. Lisa said they would probably be able to negotiate for a better price because of the asbestos, but it is something that would have to be addressed from an environmental standpoint. Paul said that the costs associated with legal opinions need to be segregated. Lisa thought the Trustees had access to the attorney. Paul said it can't be an open-ended thing, and all legal requests are funneled through the Selectmen's Office. He cautioned the Trustees to use the attorney judiciously.

Selectman Jasper said the costs should reflect asbestos removal and demolition. Unless it does, he will not support it. Lisa said they wouldn't be able to give exact costs until they know exactly what they are dealing with. They might even leave the asbestos in a cellar hole and then cap it. Selectman Jasper thought the asbestos would have to be removed, that it couldn't just be capped. The Board felt that it would depend on the condition of the asbestos. Lisa asked Selectman Jasper what the alternative to purchasing the land was in order to expand the library facility. Selectman Jasper said another site. Lisa asked him to suggest a site and she'd investigate it. Selectman Jasper said there was a site down by Phillips Drive and, across the street, Nash has had some property listed for some time. Selectman Charbonneau said there is a lot of wetlands there. Selectman Seabury said the site on Phillips Drive has an access problem, and thought the Trustees should talk with the state environmentalists to see if they have any suggestions. Chairman Madison asked if there were any grants available. Lisa didn't know, but said it is something they can pursue.

Lisa asked if a Selectman wanted to be a part of the negotiation process; Selectman Seabury is the liaison. Attorney Ratigan thought it would be a less threatening environment if it came from the Trustees instead of the Selectmen. Chairman Madison thought it should be left up to the Trustees, and the Board agreed. Lisa said the Trustees would keep the Board fully informed.

Lisa asked if there was a monetary limit relative to access to the Town Attorney. Paul said the Town Attorney is available for all Town departments, but requests are channeling through the Administrator to judge what is or is not appropriate to forward. Approval is not a license to use the attorney open-ended and because those costs are going to be associated with a project, they ought to be tracked. When the Town gets the Attorney's bill, a copy will be sent to Lisa or Donna to review and sign off on it prior to it being paid.

6. ADJOURNMENT

Motion by Selectman Jasper, seconded by Selectman Stewart, to adjourn at 9:27 p.m. carried unanimously.

Recorded and Transcribed by Priscilla Boisvert

Executive Assistant to Board of Selectmen

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E. Lorraine Madison, Chairman

Rhona Charbonneau

Shawn N. Jasper

Ann Seabury

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