

HUDSON BOARD OF SELECTMEN
Minutes of the May 13, 1997 Meeting

1. CALL TO ORDER by Chairman E. Lorraine Madison
2. PLEDGE OF ALLEGIANCE led by Selectman Ann Seabury
3. ATTENDANCE

Selectmen: E. Lorraine Madison, Rhona Charbonneau, Shawn N. Jasper and Ann Seabury. (Terry Stewart was on vacation.)

Staff/Others: Paul Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Police Chief Richard Gendron; Fire Chief Frank Carpentino; Town Planner Mike Reynolds; Assessor Jim Michaud; Recreation Director Keith Bowen; Recreation Committee Chairman Jane Payne and Member Len Lathrop; ZBA Members Leo Fauvel and Frank Carr; Fidele Bernasconi; Joseph Wozniak; John Beike; Howard Dilworth, Jr; Abbott and Jimmy Rice; Planning Board Members Jim Gallagher, Don White, Kathy Brown; Tira, SUN; Signe, TEL; Andy, HLN

Proclamations

1. A proclamation concerning Air Bag Safety was read by Selectman Shawn Jasper and presented to Richard Gendron, Chief of Police, and Frank Carpentino, Fire Chief.
2. A Certificate of Appreciation and cut flowers were presented by Chairman Madison to the former Chairman, Selectman Ann Seabury, recognizing all of her time and effort to the Town during her 3-year chairmanship tenure.

4. PUBLIC INPUT

1. Jean Serino, 118 Robinson Road, had registered to speak to the Board about safety concerns on Robinson Road and to give an airport report, but she was not in attendance.
2. Richard Dube, Willow Creek, asked the Board for an extension to his lease for Coffee on the Run at the Meadows, which expires on May 31. He was advised that the Board would take it up under Other Business.

3. Fidele Bernasconi, 122 Bush Hill Road, hoped to see HEDCorp become reactivated. About a half dozen people, from different walks of life, are interested in serving on the committee. Chairman Madison said this was an item later on the agenda.

Chairman's Comments

Chairman Madison, as the recently-elected Chairman, reviewed the rules and procedures of the Selectmen's meetings, which is to basically follow Robert's Rules of Order. From now on, when people in the audience wish to speak, that will be allowed only by a consensus of the Board. It will not be acceptable for people in the audience to make remarks or speak without first being recognized, and not everyone will be recognized to speak at every single meeting. She reminded everyone that this is not a social evening; the Board meets to conduct the business of the Town.

5. CORRESPONDENCE RECEIVED

- A. FROM: Mike Gospodarek, Town Engineer
RE: Status of Projects
REFER TO: Old Business
- B. FROM: Highway Safety Committee
RE: Various Issues
REFER TO: Old Business
- C. FROM: Richard Gendron, Chief of Police
RE: Flashing Beacon at Intersection of Route
102/Old Derry Road
REFER TO: Old Business
- D. FROM: E. Lorraine Madison, BOS Chairman
RE: Liaison Assignments
REFER TO: New Business
- E. FROM: Fidele Bernasconi

RE: Reactivating HEDCorp
REFER TO: New Business

F. FROM: Mike Reynolds, Town Planner
RE: Planning Board Briefing to Selectmen on
Visioning for Hudson
REFER TO: New Business

G. FROM: Steve Malizia, Finance Director
RE: Bid Recommendation--1997 Pavement Marking
Program;
Over Expenditures--Moderator; and Supervisors
of the Checklist
REFER TO: New Business

H. FROM: Jim Rice
RE: Loud Music from Car Speakers
REFER TO: New Business

I. FROM: Sewer Utility Clerk
RE: Sewer Connection Enforcement
REFER TO: Old Business

J. FROM: Jim Michaud, Assessor
RE: Various Assessing Items
REFER TO: New Business

K. FROM: Jim Rice
RE: Request for Stop Signs at Sunland Drive and
Patricia Drive
REFER TO: Highway Safety Committee

L. FROM: Residents on Rangers Drive
RE: Vehicular Safety Concerns on Rangers Drive and
Lois Drive
REFER TO: Highway Safety Committee

M. FROM: Jean Serino
RE: Safety Concerns on Robinson Road
REFER TO: Highway Safety Committee

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

6. NOMINATIONS AND APPOINTMENTS (Interview Session)

A. Nashua Regional Planning Commission (1 Alternate, Term to expire 12/98)

No applicants.

B. Planning Board (1 Alternate, Term to expire 12/98)

Charlene Provencal, (who arrived late due to a Chamber of Commerce meeting), said now that she's given up her business, she has some time and would like to give something back to the Town in this manner. She's lived here all her life, so she knows Hudson, but she doesn't come with any pre-set agenda. As a business person, she thinks she could contribute new ideas.

C. Solid Waste Study Committee (2 Members, Terms to expire 12/98 and 12/97)

Joe Wozniak is interested in the '98 term.

John Devic was not present.

Steven Croce was not present. He works out of Town during the week and would be unable to make meetings unless they were held on the weekend.

D. Zoning Board of Adjustment (1 Alternate, Term to expire 12/97)

Leonard Lathrop was present. Selectman Seabury said Mr. Lathrop was very active in the community and does a good job.

Chairman Madison said their procedure is to make the appointments at their second meeting on the month.

7. OLD BUSINESS
- A. Highway Safety Committee Items
- 1) Public Hearing/Board Action on Alvirne Drive Parking Restrictions

Chairman Madison opened the public hearing at 8:05 p.m. and asked if anyone in the audience wished to speak.

Dennis Dupont, 34 Alvirne Drive said this is an issue he's brought before the Board before. He said the intentions of the current petitioners are to ban parking on Alvirne Drive seven days a week from 7:00 a.m. to 7:00 p.m. which wasn't fair to him or to another neighbor who opposes the ban. He said there should be a process of elimination instead of instituting a complete ban without trying other things first. He'd like to see parking on one side of the street, from the telephone pole in front of his house, west up to Patricia. If parking is prohibited on Alvirne Drive, the problem will be pushed in another direction, such as to Patricia and Sunland. In the 17 years he has lived there, he has never called the police for any vandalism to his property. In the last six months there has been a lot of police activity on Alvirne Drive because of the parking. He said, trying to be a nice guy, he drafted the original petition about the parking problem on Alvirne, out of respect for his neighbors. He was sympathetic to them because of the kids parking on their lawns, but that wasn't good enough for them; they wanted it only their way. He asked who put up the No Parking signs at the end of his cul-de-sac.

Chief Carpentino said the Town did because, at the cul-de-sac, the emergency access to the ball field is often impassable because cars block it. Mr. Dupont said the signs are erected in such a manner that a truck could not access the field. Chief Carpentino said the truck has to access it at an angle because of its size, but they will look at it again.

Mr. Dupont said a parking ban would decrease the value of his house. He said he has a lot of in-laws and visitors at his house on a daily basis. He didn't want to have to call the Police Department every day to say he's going to have six or seven cars parked in front on his home. That's not fair to him or to the Police Department. Even with a parking ban, people will still use Alvirne Drive to drop their kids off and pick them up for school and sports activities. It's not fair for those people to go all the way around to Route 102. He said he'd rather see kids out his front window than worry about kids coming in the back way from the woods where the kids hang out. Tonight, one of his neighbors called the Police on a woman sitting in her car, waiting for her six year old son. He said that was harassment, which goes far beyond safety issues. He added that `these people' want power, but that isn't going to work with him because he's been there too long. He doesn't owe them anything; they don't owe him anything, but he won't just sit back on this one. He's the one that will be the most affected by the parking ban, and he's the one that has been there the longest. He never had problems until `these people' moved in.

Michelle Dupont, 34 Alvirne Drive, said she has empathy for the traffic problem, but she has teenagers, and others don't. She said they have lived there 17 years and raised two children and never had safety concerns. Originally, they dealt with traffic from sporting events and now it's school related. She works during the day, but when she comes home for lunch, she has noticed that the kids park on one side of the street and have been obeying the rules. Getting out of her driveway is not an issue. She has a large family--eight brothers and sisters, 35 nieces and nephews--who visit often, and their driveway can only fit two vehicles, unlike her neighbors, who have double driveways that can fit six to eight cars. If they know in advance they are going to have a party, it's one thing, but they often have family dropping in to visit on a regular basis. Having to call the Police every time someone

comes to visit and parks on the street violates her right as a citizen and a tax payer. She felt that they could compromise, saying that she didn't believe the kids were as bad as everyone was making them out to be. They've dealt with the parking situation for 17 years and, although it has been aggravating at times, when they've asked people to move, or to have respect, they have. She'd rather see kids out playing sports than getting into trouble. She asked if she could get resident passes for their vehicles and for their company, if the ordinance is adopted. Between her large family and friends that visit, there are a lot of cars that park at her house. This is a public street and her neighbors don't own it. They should come to an agreement that is fair to everyone. She wanted to know what the Safety Committee's findings were from last week.

Chief Gendron said at the Highway Safety Committee's meeting last week, they listened to the concerns of the people in the neighborhood, such as speeding, drug usage, mailbox vandalizing, kids taking newspapers out, reading them and stuffing them back in, people unable to get their mail delivered or rubbish picked up, etc. He and the Fire Chief made about 10 unannounced visits to the Alvirne Drive-Sunland Drive area, and they found that speeding does exist. One kid was doing 55 mph and another was doing 50. They saw tobacco usage, but no drugs. They witnessed blocked mailboxes and saw lawns being destroyed by the kids parking on them. The Fire Department is very concerned about the emergency access route being blocked. Mrs. Dupont said they brought that up 17 years ago, and nothing was done. Chief Gendron said that something was being done now. No one was trying to force something on the neighborhood, but the problem became aggravated as a result of a decision made by the school. With baseball season starting, parking will continue to be a problem.

(Start Tape 1, Second Side)

Jim Rice, 28 Sunland Drive supported the parking ban, saying that although one family didn't want the ban, 17 other families did and there were families who live on Sunland Drive who wanted to see the ban adopted, too. People in that area are sick of speeding cars, and the majority should rule--and they're not looking for power!

Ray Chaput, 28 Alvirne Drive, said the parking ban affects only about 200' of street, from Patricia to the end of Alvirne Drive and it involves only 9 houses. This is the third time this issue has come before the Town. The last time, the Selectmen said the neighbors should get together and come up with an option--and that's what they did. Except for the Dupont's and the Martelini's, everyone else has had problems with stolen mail, wood piles knocked down, mailboxes vandalized, stones in mailboxes, etc. When the kids were parking on both sides of Alvirne Drive, you couldn't get a car down the road, let alone an emergency vehicle. Chief Gendron instituted parking only on one side, but that didn't work, either. He said the undercover cops would use his yard to park in and, since then, there has been retaliation against him. This afternoon, he watched someone drive 20' into his yard. He said if something isn't done, and a child gets injured, the Town is liable.

Abbott Rice, 28 Sunland Drive, agreed something does have to be done. Unfortunately, this issue has divided the neighborhood, and this current action is dividing it further. He asked when the Town would learn that a decision made in one area will affect other areas. What started as a simple approach to limit student parking at Alvirne has affected other areas. Whole neighborhoods found their peace and quiet disturbed by loud radios, faulty mufflers, speeding cars, and neighbors against neighbors. The roads are no longer accessible to the people in the neighborhoods, let alone emergency trucks. Enacting parking restrictions treats only the symptom, not the cause. It's time that those who made the decision to limit parking at the high school take another look at solving the problem, if they even know what the problem

is. He asked why the rest of the Town should be punished for problems that are at the high school. He's been involved with education for 40 years and knows and understands kids. He doesn't want to chase them out of school, but they shouldn't go into the neighboring streets, and neighborhoods shouldn't be split. He asked the Selectmen to work with the School Board, citizens and students to solve the problem together.

Kevin Prince, 25 Sunland Drive, said if anyone thinks there isn't a problem, they're either not around or not awake. He has lived there for seven years and, during the last year, the parking and speeding have gotten very bad. His two young girls are restricted to their driveway and can't even wait at the foot of the driveway for the school bus because it's too dangerous. He has to take time off from work to be with them. 55 mph on a small street is too fast.

Barbara Gruizinga, 23 Alvirne Drive, had more photographs, in addition to what she had submitted with the petition. The pictures showed that the kids were parking a little further off the street, and more onto people's property. It also showed an ambulance and a fire truck trying to pass through. The garbage truck had to back out because there wasn't room. She said that if she had a fire at her house, the ladder truck would have to respond because so many cars park in front of her house.

Al Conaty, 29 Alvirne Drive, said he's lived there for 20 years. When the kids park more out of the street, they are further on to peoples' lawns, and they are blocking the mailboxes and some of them throw trash out. When he calls the police now, they ask for a license plate number so they can call the school to have someone move the car.

He cannot see past the parked cars when he tries to back out of his driveway. If a kid was racing down to the ball field on his bicycle, they'd get hit. Something has got to be done before someone gets seriously hurt, and he didn't think anyone wanted to be responsible for that.

Kathleen Vandergraaf, 26 Alvirne Drive, said she lives on a corner. When cars exit the ball field, they drive on her lawn to get around the corner. When she backs out of her driveway, which is on Patricia, she has had to pull in real quick to avoid getting hit by both the school kids and sports people. She's called the Police Department numerous times with that complaint. They park three deep and on both sides and they throw stuff out of the car when they get out-- and it goes on all weekend. She cannot take her kids out on their bikes or push the small children in a carriage. Two weeks ago, after it rained, in order to get out of the way of eight cars that left the field all at once, she and her children had to stand in a puddle. Another time, a high school kid came around the corner so fast, she barely had time to move her carriage out of the way. Her sister, visiting from Duxbury, was appalled that the car was traveling so fast. She bought the house because it was on a quiet, dead-end street and she wanted to get away from the perils of city life. If she wanted a house with lower property values, she would have bought on a double-lined street, but Alvirne Drive is busier than most main streets in Hudson. If someone wants a party, they can park on the street after 7:00. If someone wants a party earlier, the neighbors would let them use their driveways, just to get rid of the parking problem. They would all come together on this issue.

Dennis Dupont, 34 Alvirne Drive, wanted the people to know that the Town owns 5' inside people's property lines, so kids are really parking on Town property.

Leo Fauvel said if the problem is access to the school and the ball fields, access should be eliminated and the problem would be solved. If people want to use the ball fields at night, they could park at the school, where there is plenty of room.

Steve Boucher, 22 Alvirne Drive, said he's not affected by the parking, but the speed issue is very scary. Out of his big picture window, he sees people fly by and its

worse on school mornings. His son is forced to go down over the hill by Dell Street to pick up the bus, so now they are unable to see him. If he got hit, they wouldn't even know it. Someone should talk to the school, who caused the problem by eliminating parking to all of the students. Previous school administrators wouldn't have allowed this situation to get this far.

Catherine Doiron, 30 Sunland Drive, has lived there 11 years. They have an infant and two school age children and never had a problem before this school year. She can't take her baby for a walk in the stroller between 2-2:30 p.m. because the cars fly and skid down Alvirne Drive and around Sunland corner. They don't even stop at stop signs and they have no respect for pedestrians or children. It isn't safe at all. She has seen high school kids just hanging out at 11:00 a.m., waiting for a ride from someone who is still in school. Alvirne has a full-time police officer to make sure the kids at school aren't causing trouble, which makes adjacent areas a more desirable area to park in. This is turning into the kids' meeting place, and she didn't think that was appropriate.

There being no further comments, Chairman Madison closed the public hearing at 8:41 p.m. and asked the Board for their comments.

Selectman Jasper preferred permit parking, which is what they might have to do eventually, because pretty soon they will be hearing from people on Patricia and Sunland. He fully supports the school's policy that parking is a privilege and not a right. The school is demanding that a certain grade point average be maintained in order to park a vehicle at school, and that is reasonable. The problem lies with parents who do not respect the administration's policy. The Board has heard that kids drive to school because they have to go to work after school, but most of them work to support their cars. There aren't too many hardship cases in Town where kids have to work to help support their families. Parents aren't taking responsibility for their children, and that's why this has happened.

(Start Tape 2, Side A)

Selectman Seabury said there are serious concerns out there, and it's not just the speeding, the mail delivery or the emergency vehicles. Even the trash refuse people couldn't get down Alvirne Drive. They had to walk a few houses up and carry the barrels to their truck. If they got hurt doing that, the Town could be liable. During a snow storm, kids were taken out of school to move their cars because the plow couldn't get down the street. On another occasion, a sander had to back down the street. During school hours, students have spent days in cars. There is a major problem out there, so she favors the ban.

Selectman Charbonneau said there is a safety concern with the younger children. Mothers should be able to take their children out for walks. She favored the ban.

Motion by Selectman Jasper, seconded by Selectman Seabury, to adopt Ordinance 097-01, prohibiting parking on Alvirne Drive during certain hours, carried unanimously.

2) Alvirne High School Street Light

The request from Webb Palmer of Alvirne, on behalf of all of the individuals who complained who enter Alvirne via the driveway next to the concrete trough, was to approve moving the street light adjacent to the farm house one utility pole closer to Hudson.

Selectman Jasper said PSNH ought to do this at no cost because of all the burned out street lights the Town paid for prior to the Police Department's surveying/reporting them to the electric company.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to approve the moving of the street light,

and talk to PSNH in order to get it done at no cost to the Town carried unanimously.

3) Beechwood & Pinewood Road Intersection

Vincent Russo requested traffic controls at this intersection because of two blind corners at the bottom of the hill. The Highway Safety Committee recommended that the Board take no action on this. There will be an effort made to remove all of the vegetation and small trees, which should clear up some of the sight problems.

4) Wade Road

Relative to the concern about speeding on Wade Road by Paul & Jacqueline Laine, the Highway Safety Committee has scheduled speed counts and, if necessary, they will do directed patrols.

B. Status of Projects

Chairman Madison said she put this on the agenda because of the project approved at Town Meeting for signalization at the intersection of Lowell Road and Birch Street. The Town Engineer said all of the projects are where they are supposed to be and it would not create a problem to move forward with the Birch Street project at this time. The Town would have to hire a consultant to write up an RFP and implement it after that. At most, it would set back a couple of the current projects by a few hours.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to solicit a proposal for design of the street light at Birch Street and Lowell Road, carried unanimously.

Selectman Jasper said the memo from the Town Engineer shows that the funding will expire 2001, a five-year carry-over. He thought that items that are not bonded can be carried over to the next fiscal year, and the Board can encumber for one more year. Chairman Madison deferred to Paul, who said he wasn't sure of the answer, but will check into it.

Selectman Jasper asked that Mr. Dilworth be recognized. The consensus of the Board was to allow it. Mr. Dilworth said items in the budget expire at the end of the fiscal year; warrant articles have a two-year life period; and items created as a non-lapsing fund have a life rating of five years, or whenever the project is done, whichever is first. Chairman Madison thanked him.

C. Flashing Beacon at Intersection of Route 102/Old Derry Road

In a memo to the Board, Police Chief Richard Gendron stated that he had received a call from Jim Colburn, NH DOT, inquiring whether or not the Selectmen want a flashing yellow beacon light installed at the aforementioned intersection. The DOT will cover the cost of purchase and installation, if the Town of Hudson will be responsible for the monthly electric bill, which is \$35.

Motion by Selectman Jasper, seconded by Selectman Seabury, to ask the State to install the light and inform them that the Board will accept the monthly cost carried 3-0. Selectman Charbonneau abstained because the light is at the corner of her home.

D. Sewer Connection Enforcement

The memo Sewer Utility Clerk, Joyce Pike, stated that the Sewer Utility Committee was submitting, for the Board's approval, a list of residential and commercial/industrial properties that have not connected to sewer since the last letter went out in 1994. Chairman Madison said the outstanding one they were looking at is a commercial property located at 24 Flagstone Drive.

Selectman Jasper said he received some information today that had been discussed at a Sewer Utility meeting, but had not gotten back to the Board, and that is that there have been periods of time where the Town of Hudson has exceeded the allotted flow to Nashua, up to 50% because of seepage into the system. If they have reached their limit, they either have to fix the seepage or stop adding to the sewer system. Hudson has a right to only

12% of capacity. He didn't know all the ramifications because the Board never received any of that information. He asked how they were going to force people to hook up. The Town may be in a situation where they must tell people they have to put in septic systems.

Paul said that on Mike Gospodarek's project list is an infiltration inflow study and it's something the Town will be forced to do, but that won't change current policy as far as this Board's determination that these people need to be hooked up. Historically, I & I studies and sewer evaluation studies were mandated on cities and towns by the US EPA, as conditions of taking grants. For some reason, Hudson has not done a complete I & I, but it shouldn't get in the way of enforcing people to make the connections that should be made.

Selectman Jasper said he didn't necessarily disagree with that, but he was wondering what will happen if the Town is only allowed 12%. He didn't understand what the process was going to be. Paul said it was only speculative, but Nashua could file suit and impose a moratorium. Selectman Jasper said there is a big 400-unit project down the road that will be coming on line. Selectman Seabury said there's that, plus 150 at Thurston's Landing and a potential 30-40 at Clement Heights. All building would have to be stopped. Selectman Jasper said if they are at capacity now, how are they going to deal with these issues? It appears that there is a lot of infiltration, and that can be corrected. But what do they do in the meantime?

Selectman Seabury said the previous Finance Director had a good rapport with the Nashua sewer people, but she didn't know if the current one does. They need more information on this because they relied on Lydia to do all of this, and she isn't here to do it. With more homes being built, more sewer will be going over to Nashua. Where do they go? To the Sewer Consultant? Chairman Madison said before Lydia left, one of her biggest concerns was that someone be really informed of what was going on over in Nashua. Selectman Seabury said Lydia had wanted John Ratigan to go over there.

Chairman Madison thinks this issue needs to be addressed, but before them was the enforcement hookup at 24 Flagstone Drive, which was the material located at the back of the packet received from the SUC. Selectman Jasper said he thought this was a request for general hookup enforcement. Paul said the Flagstone Drive property issue came before the Board last September. At that time, the Board asked the Sewer Consultant and Committee to come back with a policy and a form letter, which they have before them now. Selectman Jasper thought that was what they were dealing with.

Chairman Madison said they were dealing with 24 Flagstone Drive, and they either need to proceed with the enforcement of the 100' connection, exempt the property from the mandatory enforcement, or an option which the Zoning Administrator hasn't thought of yet. Selectman Jasper asked for a clarification of "supposed to be hooked up," because the wording was confusing. Paul said the permit was being held, pending their hooking up, but Susan feels that the work has gone on. It's zoning permit work, not the sewer connection work.

Selectman Charbonneau thought the Town bought a video camera for the sewer so it could show them where all the leaks are. Paul said it will be used for the I & I work, but all of the insituform projects that the Sewer Utility Committee has undergone in the last two or three years have been to tighten up leaking and broken lines and cut down on the inflow. Selectman Charbonneau thought one of the Town's priorities was to fix the leaks. Paul said they have to find them first.

Chairman Madison said the question was whether or not the Board wanted to enforce the hookup at 24 Flagstone Drive so the permit can either be issued or denied. Paul said the question was to either sanction the permit without having them hook up, or mandate that they be hooked up. Selectman Jasper said he agrees they should have been hooked up, but they can only surmise they have done the construction. They are talking about two different things. The letter is telling the Board they have done the fit-up work inside the building; nobody thinks they have hooked up to the sewer. But, if they are to enforce this, it is selective enforcement because they have a list of others who have not

hooked up. They can't go only to 24 Flagstone Drive. Paul said, in this particular case, they have a building permit pending. Selectman Jasper said they haven't got the permit and they can say they won't issue the permit until they have complied with this regulation. Beyond that, they have to prove they have done the construction without a permit, and then they can go after them for that, as a separate issue.

(Start Tape 2, Second Side)

Motion by Selectman Jasper, seconded by Selectman Seabury, to send them a letter telling them they won't get a permit until they hook up to the sewer carried unanimously..

But if they've already done the construction, they won't care about the permit. He said he is still very confused and asked if they have to send out the letter to the other people on the list. Chairman Madison said they aren't dealing with the other people on the list. Paul said that's something that went back to Tom Sommers.

E. Legal Services (Donahue, Tucker & Ciandella)

The Board has spoken with Attorney Ratigan previously about contract renewal and the consensus of the Board, at that time, was to renew the legal contract with his firm. Attorney Ratigan had stated that if the Board renews the contract for the upcoming year, (July 1, 1997 - June 30, 1998), with Donahue, Tucker & Ciandella, the costs will remain the same as the current year: \$110/hr; \$55/hr. Paralegal; \$.30/mileage rate.

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to approve the legal contract renewal with Donahue, Tucker & Ciandella for the period July 1, 1997 - June 30, 1998, at the same rate as the current year carried unanimously.

8. NEW BUSINESS

A. Reactivating HEDCorp

Chairman Madison said Fidele Bernasconi has requested that they revive HEDCorp. All of the terms have expired except for the staff position. Fidele has already spoken to several people who are interested in serving on this board. He is also recommending a reduction in the membership to five or seven. He'd like to see them reactivate the committee and appoint three initial board of directors. The by-laws say that they would have to elect an interim president, who shall preside until a fully constituted 9-member board is established. But if they wish to change the membership number, they would have to change the by-laws. The Selectmen have the authority to activate the board and appoint three people to a board of directors, i.e., Fidele, Selectman Terry Stewart, who has served on the committee previously and is willing to do so again, and a third person. Several people have suggested that that person be a member of the Planning Board.

Selectman Jasper thought it was a worthwhile endeavor and wished them the best of luck. He didn't have a problem with the suggested Board of Directors, or with the Planning Board making a recommendation of one of them.

Motion by Selectman Jasper, seconded by Selectman Seabury, to reactivate HEDCorp and that they solicit a recommendation from the Planning Board for a member from its ranks carried unanimously.

Chairman Madison asked for a volunteer for a Selectman alternate. Selectmen Charbonneau and Jasper felt that they did not have the time to devote to this board, with Selectman Jasper adding that they haven't even put a regular member on yet. Chairman Madison said they were talking about an alternate because Terry is going to be the regular member. Selectman Jasper said all his motion did was to reactivate HEDCorp and solicit input from the Planning Board. He didn't move to put Fidele and Terry on because, if it takes three to get it going, they have to wait until the Planning Board recommendation comes back and they can do all three at the same time, adding that, at that time, it would be appropriate to appoint an alternate. Chairman Madison said OK.

B. Planning Board Briefing to Selectmen on Visioning for Hudson

In a memo to the Selectmen, the Planning Board requested a half hour of the Board's time to brief the Selectmen on the Hudson Visioning project, which is under consideration by the Planning Board and is supported by the Zoning Board of Adjustment. The Planning Board were seeking the Selectmen's support for the project, which will seek to involve our Town citizens and leaders in answering the question, "What do we want our Town to look like in the 21st century?" The vision is developed using citizen and Town leader input, obtained during a "Visioning Day," assisted by a professional facilitator.

Chairman Madison recognized Town Planner, Mike Reynolds. He explained that visioning is a process by which a community envisions the future wants and plans on how to achieve it. It brings people together to develop a shared image of what they want their community to become. Once a community has envisioned where it wants to go, it can begin to consciously work toward that goal. He asked if people see characteristics in other towns they wish were in Hudson. Hudson owns 55-acre Unicorn Park, which has only two buildings currently--the police station and a 3,600 square building. He asked what the Town wants Unicorn Park to look like. Hudson also has a natural resource the Town often forgets about, whose use could be maximized, and that's the Merrimack River. Public participation is the key to establishing visioning for the Town, and participation should come from residents who attend Selectmen's meetings, Planning Board or Town Meeting. As an example, participation could include school children, elderly, home owners, renters, businesses, etc.

Mike then showed a video on strategic planning, followed by comments by Planning Board member, Jim Gallagher. He said the Town's planning for the future has been with the Master Plan and did not include a lot of public input. The Planning Board has been operating on its own instead of involving other boards. There is a need for them to focus on quality time in looking at the future, but it makes no sense for the Planning Board to try to go out and do that as a separate entity.

(Start Tape 3, Side A)

He recommended that they hold a Town retreat for employees and Town leadership. From that retreat, such as the one organized by Joe Wozniak a few years ago, they would take that input into the next step, which would be a visioning day to try to get a sense of community values, involving the citizens into the process. From those two things, the future planning can be accomplished, such as infrastructure replacement, financial planning and what the citizens and leaders would like to see their town look like in the future. He asked for the Selectmen's support in this effort.

Selectman Charbonneau was supportive of this effort. Selectman Jasper was, too, but is skeptical because if they can't get caught up to where they should be today, what are they doing looking at tomorrow? They need a highway garage and a lot of other things, and it's hard to get people involved. Another important consideration is how the questions are asked. Selectman Seabury thought it was a good idea to establish a vision. Sometimes, Selectmen are privy to confidential information that can't be shared, so it's important that a member of the Board be included, who has knowledge of certain information. Other times, they have to make decision in which time is a critical factor. She thought a School representative should be included, too.

Joe Wozniak said this would help the leaders in the community to know what to do and how to go about doing it. There is the financial aspect. The Town has to be inventoried to see what there is, what can be built, etc. Citizen input is needed so the leaders will know what the people want their town to look like. This process compels the leaders to look at all those things and causes them to work together so that the Planning Board isn't going to impact on the Town or schools without everyone knowing about it. There are many examples where good planning and visioning would have overcome some of the problems they have today. It's much more than a capital improvements project. They could be looking at the open space and deciding how they want to use it or what to do with it. A lot of times, the community feels like they are left out of the process, like they are alienated, that they are not being represented. This process brings everyone

into the fold and everyone can help solve the problems together.

Selectman Charbonneau said it's important to look to the future, even if they have to put out fires on a routine basis. As rough as Lowell Road is, there are still things they can do about that area. Chairman Madison said that, even though they have a lot of unfinished projects, they have to look to the future and thought this is a good idea.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, that the Board of Selectmen supports the concept of visioning carried unanimously.

C. Bid Recommendation--1997 Pavement Marking Program

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to award the Pavement Marking bid to L & D Safety Marking, in an amount not to exceed \$16,380, as recommended by the Road Agent and Finance Director.

Selectman Jasper said he supported the motion, but wondered why they didn't go with the lowest bidder, even though it was only a \$9 difference. Paul said the determination was made that the lowest bidder was not qualified, by either work experience or capability.

Vote: Motion carried unanimously.

D. Over-expenditures

1) Moderator

This request was to transfer \$1,550 from Workers Comp 5910-117, to the Moderator's account, 5041-241, for costs associated with ballot printing.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to approve the transfer.

Selectman Jasper said he is the one who brought this to Steve's attention and probably should have called Mike, too, but he was keeping track and knew that, in all likelihood, Mike was going to go over budget. He didn't know if the Moderator had been contacted on this or not, and was sure he would not be upset by this, but he should have been brought into the process. He just didn't want to see this budget over-expended.

Vote--Motion carried unanimously.

2) Supervisors of the Checklist

The recommendation was to transfer \$110 from Workers Comp 5910-117 into 5042-241 Supervisors of the Checklist, Printing.

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

E. Loud Music from Car Speakers

Jim Rice asked if something could be done about the loud music coming from car speakers. Selectman Seabury said they've had complaints about this before, but it's difficult to enforce. The Town has a noise ordinance, but the cars aren't in one place long enough for anyone to get a reading with a noise meter. Selectman Jasper agreed that this was a problem but there wasn't anything they can do, adding that they could copy Chief Gendron with the letter and see if he has any ideas. Chairman Madison announced that the Board would take the matter under advisement.

F. Liaison Assignments

Chairman Madison clarified that these assignments are for one year, but she plans to bring them back after three months to make sure everybody is happy with their assignments and people are able to do what they are supposed to do. If there are any problems they can make the adjustments. Selectman Charbonneau resigned as the Planning Board representative.

Selectman Jasper moved to accept the resignation, seconded by Selectman Seabury. Motion carried unanimously.

Motion by Selectman Jasper, seconded by Selectman Seabury, to appoint Terry Stewart as the Selectmen's representative to the Planning Board carried unanimously.

Motion by Selectman Jasper, seconded by Selectman Seabury, to appoint Rhona Charbonneau as the Planning Board alternate from the Board of Selectmen carried unanimously.

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to appoint Shawn Jasper as the Selectmen's representative to the Budget Committee carried unanimously.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to appoint Ann Seabury as the Selectmen's alternate to the Budget Committee carried unanimously.

G. Assessing Items:

1) Charitable Exemption (The Hitchcock Clinic)

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

2) Current Use (Hamblett's, Map 8, Lots 70, 69 & 66)

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to approve, as recommended by the Assessor, carried unanimously.

3) Intent to Cut (Highland Woods, Scottsdale Drive, Map 24, Lot 39)

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

4) Elderly Exemptions (\$45,000--Helen Libby, 11 Kimball Hill Road and Charles Gould, 23 Rena Avenue)

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

5) Totally & Permanently Disabled Property Tax Exemptions (\$45,000--Lewis Trowbridge; Barbara Corbin; John Silva; Virginia Nadeau; John Sederquist, Jr., Susan Walterbach; Ramona Stebbins; Patricia St. Gelais; Lorraine Carlstrom; Karen Andros)

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

9. OTHER BUSINESS

A. Minutes on the Internet

Selectman Jasper requested that the Minutes go on the Internet only after they have been approved.

B. Landfill Grant

Selectman Jasper said they should discuss what they are going to do with the money. Paul said they are limited because it can't be spent without an appropriation. He thanked Mike Gospodarek and Carla Anger for their work because it was a tough grant.

C. Richard Dube's request for a Lease Extension--Coffee on the Run @ The Meadows

Selectman Jasper said since Mr. Dube is actively pursuing something, it won't create a real problem for the Town if the Board grants a 30-day extension to him.

(Start Tape 3, Second Side)

Selectman Seabury said they have to be honest with Mr.

Dube and asked if the Board was going to approve a Hawker-Peddler permit if he does go somewhere else. She said hawkers and peddlers are supposed to be mobile and didn't want to see Mr. Dube pay \$2,000 for a site plan review and then be denied when he comes before the Board for a hawker-peddler license. She reminded everyone that Mr. Dube was grandfathered by Mr. Snider during the Council years. This current Board has adopted a policy on Hawker-Peddler licenses, and they can't grant one unless it's for a mobile food truck or an ice cream truck. She said a hawker-peddler can't stick a plug into a tree and stay there every day.

Selectman Jasper said he hadn't considered that aspect of it and, since his motion did not garner a second, he withdrew it. Selectman Seabury said they've talked about this property before and once the grandfather status has ceased, they do not have to allow a use to continue. Selectman Charbonneau said if they allow Mr. Dube to continue, Jungle Jim will want to, too. Selectman Jasper said Jungle Jim has found another location already. He said when Mr. Dube was before them, the Selectmen told him he had to find another location and go to the Planning Board. He did what he was told to, and now the Board is saying they're not going to give him a license. Selectman Seabury said she will not vote again in favor of a stationary hawker-peddler permit. Selectman Charbonneau said hawker-peddlers are cutting into established businesses of people who have to pay taxes.

Chairman Madison asked if Mr. Dube loses his grandfather status when he leaves the Meadows. Paul said the commercial uses that are there now will lose whatever grandfathered rights they have at that site, after the right passage of time. Selectman Seabury said Mr. Dube would have to have the site plan redrawn with his site on it. Selectman Charbonneau said if Mr. Dube moves across the street, maybe Cookies will not be too happy about it. Selectman Jasper said Mr. Plante would have to deal with that, not the Selectmen. But they told Mr. Dube what he had to do, and he's done it. Chairman Madison said she can also see Selectman Seabury's point and they must not have been thinking when they told him to do that. Selectman Jasper said he would not be in favor of new ones coming into Town. Selectman Charbonneau said if they do it for one, they have to do it for all of them.

D. Quarterly Meetings w/Department Heads

Chairman Madison said she'd like to institute quarterly workshop meetings with department heads and she wants to circulate an agenda so everyone can offer input. She'd like the first one to take place in August, which will give them time to think about it. She wants the department heads to be sitting with the Selectmen, as part of the group, and not in the audience. The rest of the Board thought that was a good idea. Selectman Charbonneau was glad they were going to implement this. It's something she has wanted to have done for a long time.

E. To-Do List

Chairman Madison said when she took this position, she got a to-do list dating back to 1993--and she'd like to start with the Personnel Policies that need to be revamped and rewritten. She envisions putting it on a six to eight week cycle and do a chapter in that time. By doing it that way, it will give them time to read the policy and to make changes, etc. If it's lengthy, Paul can ask for an extension. It will take two to three years, but Rome wasn't built in a day. The Board was in favor of this.

10. ACCEPTANCE OF MINUTES

- A. BOS Meeting of April 22, 1997
- B. BOS Meeting of May 6, 1997

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to accept the Minutes, as corrected, and place on file carried unanimously.

The April 22 Minutes, which had been put on the Internet,

indicated that the Board unanimously approved several Fire Department personnel actions. The Minutes were corrected to show that Selectman Jasper abstained on those votes.

11. COMMITTEE ANNOUNCEMENTS

05/14 7:00 LMR Planning Board
05/15 7:30 LMR Budget Committee
05/15 7:30 Sewer Utility Committee
05/19 7:30 LMR Conservation Commission
05/27 7:00 Trustees of the Trust Funds
05/27 7:30 LMR Board of Selectmen

There were no changes or additions to the listing.

12. REMARKS BY THE SELECTMEN

A. Ann Seabury thanked Chairman Madison for the flowers, (who said they were from the whole Board). She said she was overwhelmed and she loved her tenure as Chairman.

B. Rhona Charbonneau said she didn't realize the Sewer Utility met quite so often!

C. E. Lorraine Madison said that on May 17, the Fire Department is holding an EMS day and School Street will be closed to display vehicle extrications and rides will be given to people wishing to see the National Guard helicopter land at HO Smith. Selectman Jasper thought closing the street required Board action. Paul said the timing was such that it didn't get on the agenda and they needed to do some advance planning. It's also the public safety department requesting this. Besides, the school is closing the next block over, anyway, and they didn't ask anybody.

13. 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; (b)The hiring of any person as a public employee; and (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting carried 4-0 by roll call vote.

Nonpublic Session was entered into at 10:21 p.m. and was terminated at 10:43 p.m.

Votes takes in Open Session:

A. Motion by Selectman Jasper, seconded by Selectman Seabury, to approve the hiring of Mary Joyce as Summer Program Director, effective 6/1/97, @ \$4,800 for the season carried unanimously.

B. Motion by Selectman Jasper, seconded by Selectman Seabury, to approve the hiring of Summer Recreation Staff Sherri Hamilton, Amy Caron, Kelly Griffus, Heather Locke, Lee McPhee, Ryan Kelly and Amy Prokop @ \$7.25/hr., from 6/25 - 8/20/97 carried unanimously.

C. Motion by Selectman Jasper, seconded by Selectman Charbonneau, to approve the hiring of Marc Beaudoin and Lynn Tontodonato as Police Officers, effective July 1, 1997 @ an annual salary of \$27,830.40 carried unanimously.

14. ADJOURNMENT

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to adjourn at 10:55 p.m. 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

BOS Minutes, 5/13/97, Page 18