

HUDSON BOARD OF SELECTMEN
Minutes of the April 7, 1997 Meeting

1. CALL TO ORDER by Chairman Ann Seabury at 7:30 p.m.
2. PLEDGE OF ALLEGIANCE led by Selectman Rhona Charbonneau
3. ATTENDANCE

Selectmen: Ann Seabury, Rhona Charbonneau, Howard Dilworth, Jr. and E. Lorraine Madison. (Shawn N. Jasper was absent.)

Staff/Others: Paul Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Police Chief Richard Gendron, Capt. Closs, Officer Dan Dolan and several HPD members; Jess Forrence, Foreman of Sewer and Drains; Coleman Kelly; John Drabinowicz; Signe, TEL; Andy, HLN

4. PUBLIC INPUT (30 Minutes unless extended by majority vote; 5 minutes per person)

Commendation of Hudson Police Officer Dan Dolan

Chairman Seabury presented a commendation to Officer Dolan from the Board of Selectmen in recognition of his receiving the Outstanding Achievement Award upon graduation from the Police Academy on March 28, 1997. Officer Dolan graduated at the top of his class of 40, a prestigious and noteworthy accomplishment. During the 12-week course, Officer Dolan served as platoon leader, squad leader and was the Officer in Charge during his last two weeks.

5. CORRESPONDENCE RECEIVED

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

B. FROM: Thomas M. Barrett
RE: Tootsie Roll Fund Drive
REFER TO: New Business

Motion to receive the Correspondence, with appropriate referral, by Selectman Madison, seconded by Selectman Dilworth, carried unanimously.

6. OLD BUSINESS

- A. Hudson Speedway

A letter had been sent to the Hudson Speedway, outlining the concerns the Board wanted addressed prior to their issuing a license for the 97 racing season, i.e., removal of tires and filling in and grading the pit area to eliminate standing water. There was no response to that letter, so a certified letter was sent to Mr. Webber last week, reiterating that no racing would take place until the Board issued the permit. Mr. Webber called and asked to speak to the Board about this issue. After being recognized, Mr. Webber said he has removed the tires, but he couldn't get equipment in there to do the grading, adding that he moved the opening day from April 6 to 20.

Selectman Charbonneau asked Mr. Webber why he didn't take care of this last Fall. Mr. Webber said last year there was a river flowing across the pit area because of the drainage problem, but that has been fixed. The pit area is wet, but water isn't flowing through it. He will have it graded and add some gravel when the ground dries out.

Jess Forrence said when he and Leo visited the site at 1:00 p.m. today, tires were still on the back stretch and in the pit area, and grading has not been done. Mr. Webber said the tires were removed later in the day and the grading won't be a big deal, once the ground dries out. Paul said that until Jess, Kevin or Leo says the issue is resolved, it isn't. Selectman Madison said the Board has to stand by the Highway Department and if Mr. Webber wants to open on the 20th, the site work has to be done. When the work is

done to the satisfaction of the Highway Department, the Board can take a phone poll to issue the permit. Mr. Webber asked for an extension of time to do the grading because the ground is too wet to do the work. If it hadn't been for the 18" of snow that fell last week, the work would have been done by now. He said they were just talking about a mud puddle, which wasn't polluting the water supply, and this isn't the same issue that was raised last year, which ended up by the Board apologizing because of the records he found that said the drainage was a Town problem.

Selectman Madison said if it is warm and windy for the next few days, the ground will dry out a lot, and he has nearly two weeks to get the work done. Mr. Webber didn't want to wait till the last minute because he doesn't have his own equipment and has to hire someone.

Selectman Charbonneau said the grading issue has been pending a long time. She couldn't understand why he always waits till the last minute. Mr. Webber said the pit area was wet last year because of the runoff from the street, but it was dry during the summer. He thought the work that the Town had done corrected the problem. Selectman Dilworth said it was wet year-round. Paul confirmed that the water was ponding in the pit area.

Mr. Webber asked when the phone poll would be taken, given that he wants racing to start on April 20th. Selectman Madison said as soon as they get word it's fixed, a phone poll can be taken. Paul advised Mr. Webber to schedule the work as soon as he can and not wait till the last minute. Mr. Webber said the Tates would be doing the work, but the longer they wait, the better the ground condition will be. Chairman Seabury said this has been a long standing issue and if Mr. Webber just threw down some gravel, it would probably take care of the problem. Mr. Webber said he wants to do it right. The Speedway has been here for 50 years, and it will continue, in spite of some people's wishes. He said the work would be done by April 17th.

In light of the Board's concern about oil dripping, Mr. Webber said he'd like to put down concrete pads, like other race tracks have, but he has been told he can't. Chairman Seabury suggested he submit pictures of the pads to them and to the Planning Board so they could see what he was talking about.

B. Public Hearing on Receipt of a Monetary Donation

Chairman Seabury said the Fire Chief withdrew this issue, but since it has been posted, she would hold the public hearing for the receipt of \$5,000 by Sousa Realty to cover overtime costs associated with the burn of the structure donated to the Town. She opened the hearing at 7:55, asked if anyone wished to speak, then closed the hearing. Selectman Madison said if this was accepted as a donation, the money would go into the general fund, not in the overtime account. The Chief will bill Mr. Sousa so the overtime line can be reimbursed.

7. NEW BUSINESS

A. Assessing Items

- 1) Intent to Cut (Map 2, Lot 14-11, Security Drive, Gerard & Johanne Poulin)
- 2) Current Use Releases (Map 27, Lot 23-16, 124 Kimball Hill Road; Map 27, Lot 23-15, 122 Kimball Hill Road)
- 3) Warrant for the Collection of Yield Taxes (Hampton Farms; Edward & Donna Lessard; Alan Vignola)

Motion by Selectman Madison, seconded by Selectman Charbonneau, to sign Items 1-2, as recommended by the Assessor, carried unanimously.

- 4) Veterans Tax Credit \$100 (Jason Ball; Donald Hardy; Richard Lane III)

5) Elderly Exemption (Ruth Servant)

Motion by Selectman Madison, seconded by Selectman Dilworth, to approve Items 4-5, as recommended by the Assessor, carried unanimously.

6) Abatement Application, 19 Robinson Road, Map 36, Lot 20-3

7) Abatement Application, 40 Lawrence Road, Map 36, Lot 21-1

8) Abatement Application, 9 Twin Meadow Drive, Map 42, Lot 3-10

Motion by Selectman Madison, seconded by Selectman Charbonneau, to grant Items 6-8, as recommended by the Assessor, carried unanimously.

9) Abatement Application, 51 Webster Street, Map 55, Lot 11-1

Motion by Selectman Dilworth, seconded by Selectman Madison, to deny Item 9, as recommended by the Assessor, carried unanimously.

B. Tootsie Roll Fund Drive

Motion by Selectman Madison, seconded by Selectman Dilworth, to approve the request by the Knights of Columbus to hold their annual drive, the proceeds which will benefit the mentally retarded, on April 25-27 at Market Basket & Wal-Mart (contingent upon their authorization) carried unanimously.

C. Scheduling Date to Swear in Elected Officials (RSA 42:3)

Chairman Seabury thought this was usually done right after the vote. The Town Clerk, however, advised that there must be three days prior to the swearing in to allow for a recount. The Chairman asked if the Board wanted to schedule the oath of office for their meeting on April 22nd. Selectman Dilworth said after the three days are up, the officers are notified and then they have six days to present themselves. He said he brought this up on April 9 last year, so this isn't the first time this has been before them. Chairman Seabury asked if he'd like them to schedule a party. He said that in light of cable tv access, it's an opportunity for the public to see their elected officials. In the future, a swearing-in ceremony would be nice, but it's probably too late for this year. Chairman Seabury said it's never too late for her to plan a party. The people could go into the Clerk's office to get sworn in, and then the Selectmen could have a ceremony and serve refreshments at their meeting on the 22nd. Selectman Dilworth suggested 7:00. Priscilla mentioned that DH DOT was scheduled to make an ISTEPA presentation at 7:00 on the 22nd.

Coleman Kelly said Channel 23 would be prepared to film the event. Selectman Madison said she didn't want to give up an off Tuesday to come in for a swearing in party. Chairman Seabury said it would be fun. The public could come in and meet their new officials, the new Finance Director and Fire Chief, and see the new basement.

Selectman Dilworth said the School Board should be invited. Selectman Charbonneau asked if the event should be catered. Chairman Seabury thought coffee and donuts would suffice.

(Start Tape 1, Second Side)

D. Closing Town Hall due to Snowstorm

Selectman Dilworth said he didn't know that the decision had been made to close Town Hall during the snowstorm last Tuesday until he tried to get in at 12:30 p.m. and found the door locked, adding "That's not a good way to run an airline." He let himself in with his key and said it was like a

Saturday inside. He understands there were a few complaints about this. Where he works, once a year a big announcement is posted, advising employees that, during inclement weather, they should tune to certain radio stations to see if the plant is closed. An announcement should have been posted at Town Hall, stating that it was closed due to bad weather. This should have been better planned and next time, a better job should be done.

Chairman Seabury said she'd see what they could dream up, but things like this don't happen that often. Selectman Dilworth said that someone else already told him that, but that wasn't the point. There has only been one evacuation in Town, but the decision wasn't made not to do anything because things like that don't happen that often. As a result of the evacuation, the Emergency Preparedness Plan was birthed. There should be some kind of plan in place identifying who gets called, how the employees get notified, how the public is notified, etc.

Selectman Madison said at her work, they have a telephone tree and this is the first time they used it in 25 years, and it worked perfectly. Selectman Dilworth said they had a plan, and it worked. The Town could have put the notice on the Web Page. Paul said the Town now has an internal plan to notify employees.

8. OTHER BUSINESS

A. Thanks extended to Coleman Kelly & Cable Committee for Videotaping Town Meeting, Etc.

Chairman Seabury and Board members thanked and praised Coleman Kelly and the Cable Committee members for the wonderful job they did videotaping School and Town Meetings and arranging for rebroadcasting on Channel 23. She said a lot of kids saw it and mentioned it to her. Selectman Dilworth said people are interested in watching this stuff. Selectman Charbonneau said that she received a lot of feedback, too. Some people never saw a Town Meeting before seeing it on tv.

B. Condolences extended to Leo Lessard

Chairman Seabury mentioned that Road Agent Leo Lessard's father passed away and that calling hours were from 2-4 and 7-9 on April 9 at the Anctil-Rochette Funeral Home on Kinsley Street and the funeral was at 10:00 am on Thursday at St. Louis church in Nashua.

C. Discussion of Legal Contract

Chairman Seabury said last year, Selectman Dilworth thought the Board should look at the legal contract, which expires in June, in April. Selectman Dilworth said if they want to go out to bid, they will have time to do that. If not, they should schedule a time to talk with the current Attorney on an upcoming agenda. Selectman Madison said the current legal counsel is dealing with some pretty heavy-duty items and she didn't see how they could change law firms. The Board decided on May 13 to talk with Attorney Ratigan.

D. The Meadows Property

Selectman Charbonneau said trucks are still parking on that property and she could not understand why signs haven't been posted. She asked why they haven't been evicted yet, adding that there is a big pile of logs there. Paul said a snow fence and signs are going to be going up and the tenants have been given till the end of the month. Chairman Seabury said there is a huge dirt pile encroaching on the wetlands and asked if the Zoning Administrator shouldn't be sent out there to determine the condition of the property, especially with Jungle Jim pushing into the wetlands. Selectman Dilworth said he was stunned when he went by yesterday. Paul said they are phasing out and are not going to be there beyond the Notice to Quit date. Chairman Seabury said they are planting flowers, not phasing out. She asked again if the Zoning Administrator should be sent out there to see if there are any violations

occurring with the wetlands and that they should clean things up before they leave. Selectman Charbonneau said that could cause problems, too, because they might disturb things. Paul thought most of the asbestos is way back. Selectman Dilworth said it would be a good idea to have something on record by Town staff, indicating the condition of the property prior to the time the tenants leave. The Board agreed. Selectman Charbonneau said they should also take black and white photographs.

E. ISTEPA Presentation by NH DOT 4/22/97

Selectman Dilworth asked what projects were going to be discussed. Paul said it was just a general update.

F. Discussion of CAP Fees

Chairman Seabury asked if they received a reply to the letter sent to Attorney Ratigan on using CAP fee money for Lowell Road if they went with three lanes. Paul said only informally, and the answer was they can't because it's part of a larger project. The Chairman asked if the CAP fees could be used for a traffic light. Paul said it can be used for any improvement in that corridor that complies with the VHB corridor study and if signalization was called for, it could be used for that. As far as the three vs. five lane section, the improvement would be incorporated into a five lane section later. Chairman Seabury said the intersection at Executive Drive will need a traffic light and will probably have four lanes. She asked if the State was going to widen the road up to Fairview to three or five lanes. Selectman Dilworth said part of it is seven. Several people disagreed with that. Selectman Madison thought they were going to buy land for five, but develop three. Selectman Charbonneau said the State was going as far as Hardy Road. Chairman Seabury said if they put in a turning lane and a barrier to prevent cross traffic, the Town can widen out the strip down to Executive Drive to three lanes, four lanes at the light, and that would solve a major part of their problems.

9. LICENSES AND PERMITS

A. Hawker Peddler Permit Request by Stephen Noel for a Canteen Truck (Hannazax Catering)

Motion to approve by Selectman Madison, seconded by Selectman Dilworth, carried 3-1. Selectman Charbonneau voted in opposition.

B. Hawker Peddler Permit Request by Paul Rakiey for a Canteen Truck (Paul's American Eagle Catering)

Motion to approve by Selectman Madison, seconded by Selectman Dilworth, carried 3-1. Selectman Charbonneau voted in opposition.

C. Hawker Peddler Permit Request by Marie Leonard for an Ice Cream Truck

Motion to approve by Selectman Madison, seconded by Selectman Dilworth, carried 3-1. Selectman Charbonneau voted in opposition.

D. Raffle Permit Request by the Hudson Girls Softball League

Motion to approve by Selectman Madison, seconded by Selectman Dilworth, carried 4-0.

10. ACCEPTANCE OF MINUTES

- A. BOS Meeting of March 15, 1997
- B. BOS Meeting of March 19, 1997
- C. BOS Meeting of March 25, 1997

Motion by Selectman Madison, seconded by Selectman Dilworth, to accept the Minutes, as corrected, and place on file carried unanimously. (March 19, 1997 Minutes, Page 3, first line in last paragraph, 'common sense' changed to 'caution'.')

11. COMMITTEE ANNOUNCEMENTS

04/08 7 am - 8 pm Voting at Lions Hall
04/09 7:00 LMR Planning Board
04/10 7:30 LMR ZBA
04/17 7:30 LMR Budget Committee
04/17 7:30 Sewer Utility
04/21 7:30 LMR Conservation Commission
04/22 7:00 LMR NH DOT Presentation re. ISTEPA & BOS Meeting

12. REMARKS BY THE SELECTMEN

Rhona Charbonneau wished everyone good luck at the polls tomorrow.

Howard Dilworth, Jr. dittoed her remarks, saying he hoped the highway garage passes.

Ann Seabury said this was going to be an exciting an election, also hoping the garage passes.

E. Lorraine Madison wished everyone good luck tomorrow.

13. ADJOURNMENT

Motion by Selectman Dilworth, seconded by Selectman Madison, to adjourn at 8:45 p.m. carried unanimously.

HUDSON BOARD OF SELECTMEN

Ann Seabury, Chairman

Rhona Charbonneau

Terry Stewart

Shawn N. Jasper

E. Lorraine Madison

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