

HUDSON BOARD OF SELECTMEN  
Meeting of March 25, 1997

1. CALL TO ORDER by Chairman Seabury
2. PLEDGE OF ALLEGIANCE led by Selectman Shawn N. Jasper
3. ATTENDANCE

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

Staff/Others: Paul Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Steve Malizia, Finance Director; Frank Carpentino, Fire Chief; Gary Rodgers, Deputy Fire Chief; Leo Lessard, Road Agent; Keith Bowen, Recreation Director; Finance Committee Members--Kevin Walsh, John Beike, Phil Parker, Cliff Steele and John Drabinowicz; Manny Sousa; Joe Wozniak; Coleman Kelly; Fidele Bernasconi; Tim O'Connor, SUN; Andy, TEL

4. PUBLIC HEARING

Public Hearing on the Warrant Articles, as amended at Town Meeting on March 15, 1997

Chairman Seabury opened the Public Hearing at 7:00 p.m. and asked if any in the audience wished to speak.

Coleman Kelly asked if there was going to be two ballots. Chairman Seabury said yes, the Town was going to have one color and the school another color. He asked if the handout by the Board of Selectmen could be taken into the ballot booth. Paul said sure; Chairman Seabury agreed, saying it be taken in in his pocket. Selectman Dilworth said people take the Hudson-Litchfield News in with them all the time. Paul said there's nothing wrong with carrying it in. Coleman thought there was some prohibition against that. Several members said there wasn't.

Kevin Walsh, 5 Stoney Lane, said there had been some discussions about testing the patience of the voters over the lengthy ballots. He encouraged all of them, in subsequent years, to adopt a difference philosophy in order to reduce the number of articles. They might have an operating budget that is more reflective of all the needs instead of putting everything in separate warrant articles. It might be easier for people to understand as well as reduce the amount of time people spend in the voting booth. As it is, people may get disgusted and just vote no on everything.

Selectman Madison agreed with the previous speaker, adding that there might be a problem with the default budget if they didn't break out separate articles. Selectman Dilworth said most of the articles have to be on the ballot. Last year, there were twice as many warrant articles as this year. Selectman Jasper said the only thing on the warrant that really doesn't have to be there is the article for the two vehicles for Planning, Zoning and Engineering. One town has a 51-page Ballot. The Selectmen decided they were going to divide up the whole budget into warrant articles, including grease and oil.

Coleman Kelly said on the school warrant, the bleachers were brought down to 0. He said a yes vote could be construed to confirm the 0, but it could also confirm the Town is interested in seeing bleachers and gives administration the authority to take it out of some other area of the budget. Or a no vote could mean no, you don't like the 0, or you don't like the bleachers. Paul said no conclusion can be drawn from an article with a zero value. Selectman Dilworth said there is something in the Municipal Budget Law that says if you have something that is 0, you cannot spend money on it. If an article was zeroed, he did not think it would be legal for someone to transfer money for that purpose.

There being no further speakers, Chairman Seabury closed the public hearing at 7:13 p.m.

5. PUBLIC INPUT (There was none.)

6. CORRESPONDENCE RECEIVED

- A. FROM: Highway Safety Committee  
RE: Old Derry Road & Rte. 102 Intersection  
REFER TO: Old Business
- B. FROM: Paul D. Sharon, Town Administrator  
RE: Preparation Work for Lift Installation  
REFER TO: Old Business
- C. FROM: Paul & Jacqueline Laine, 8 Wade Road  
RE: Safety Issues due to Excessive Speed on  
Wade Road  
REFER TO: Highway Safety Committee
- D. FROM: Steve Malizia, Finance Director  
RE: Bid Recommendation--Alarm  
Monitoring System for Fire Dept.  
REFER TO: New Business
- E. FROM: Keith Bowen, Recreation Director  
RE: Summer Program and Softball Officials  
REFER TO: New Business
- F. FROM: Frank Carpentino, Fire Chief  
RE: Donation of a Structure to be used for  
Fire Training purposes  
REFER TO: New Business
- G. FROM: Hudson Lions Club  
RE: Establishing Annual Award for Fire  
Department Employee of the Year  
REFER TO: New Business
- H. FROM: Sewer Utility Committee  
RE: Sewer Abatement Applications  
REFER TO: New Business
- I. FROM: Jim Michaud, Assessor  
RE: Various Assessing Items  
REFER TO: New Business

Motion to receive Items A-I, with appropriate referral by Selectman Madison, seconded by Selectman Jasper, carried unanimously.

7. OLD BUSINESS

A. Part-time Help in Highway Department

Leo Lessard, Road Agent, asked for an indefinite continuation of Donna Staffier's part-time position. She works 26-30 hours a week, without benefits, at \$8 per hour. He has money in the budget for her for this year and next.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to authorize the continued part-time office position in the Highway Department carried unanimously.

B. Old Derry Road & Rte. 102 Intersection

Paul said Leo, Hudson PD and NH DOT met out at that intersection and identified some practical things that could be done. If the Selectmen give the green light, Leo is ready to proceed with the work, which involves moving some dirt mound and chopping down a tree. Selectmen Charbonneau and Dilworth didn't think those measure would solve the problem. Paul said they are also calling for flashing lights, but these two things were identified as sight inhibitors. Selectman Dilworth said the speed limit on the Hudson-Londonderry line drops from 45-40 at the intersection. He thinks it should drop to 40 prior to the intersection. Selectman Charbonneau said the people really speed around the corner where the pile of dirt and tree are and could not see how these measures would help at all. Paul said it probably wouldn't solve the problem, but it might help with sight distances. Selectman Jasper said the pile of dirt is unsightly, and

should have been removed a long time ago, but the tree is not in anyone's way. The Board agreed.

Motion by Selectman Jasper, seconded by Selectman Madison, to remove the dirt, but leave the tree carried unanimously.

C. Custodian/Maintenance Services at Town Hall

Paul said he was please to report that, after a 4-month trial period, over \$6,000 was saved by contracting for maintenance services. In addition, CCI has done an excellent job, and he recommended that the contract be extended for a year. Chairman Seabury asked if that amount would increase when the downstairs was opened up. Paul said yes, it would. He will negotiate the change for that part. Selectman Madison asked that the cleaning people use something different to clean the carpeting because what they currently use really stinks. They do an excellent cleaning job, but the stuff smells terrible. She didn't want the new carpeting to start smelling the same way. Selectman Dilworth asked if they should review this contract annually. Everyone thought that was appropriate.

Motion by Selectman Jasper, seconded by Selectman Dilworth, to extend the contract for a period not to exceed one year carried unanimously.

D. Preparation Work for Lift Installation

Paul said, as promised, he was presenting the cost to get the lift installed, including some outside work on the trusses. He thinks this is an excellent example of good stewardship of public money.

Motion by Selectman Jasper, seconded by Selectman Madison, to accept the quote and award the bid to Legend Enterprises for the construction of a handicapped lift carried unanimously.

8. NEW BUSINESS

A. Bid Recommendation--Alarm Monitoring System for Fire Dept. (Backup data available in Selectmen's Office)

Selectman Madison commended Lt. Kearns for the amount of work he put into this project and for all of the backup that was made available for the Selectmen to look at in support of this project.

Motion by Selectman Madison, seconded by Selectman Charbonneau, to award the bid for the alarm monitoring system for the Fire Department to R. B. Allen, in an amount not to exceed \$17,480, as recommended by the Purchasing Agent, carried 4-0. Selectman Jasper abstained because it was a Fire Department issue.

B. Summer Program and Softball Officials (Memo from Keith Bowen, dated 3/6/97)

Keith Bowen was present. The Recreation Committee, Softball Director Ray Desjardin, and Keith were recommending ASA as the association to officiate games. In his memo dated March 6, 1997, Keith and the Recreation Committee recommended lowering the age limit of youth attending the recreation program to 14 from 16 years of age.

Motion by Selectman Madison, seconded by Selectman Dilworth, to approve the Recreation Department's request to use ADA carried unanimously.

Motion by Selectman Jasper, seconded by Selectman Madison, to approve the recommendation to lower the age limit to 14 carried unanimously.

C. Donation of a Structure to be used for Fire Training purposes (Includes Public Hearing)

Chairman Seabury opened the Public Hearing at 7:30 p.m. and said the structure was located at 32 Lowell Road and was being donated by Sousa Realty.

Chief Carpentino encouraged the Board to accept this donation, as it will provide invaluable training of all aspects of fire training for the Fire Department. Several new officers will gain command experience in working with their peers. This donation allows the fire fighters to practice in a controlled environment to give them experience when they go into something that is not preplanned. They can walk through the building, get a good view of the building and gain tremendous knowledge. The CB patrol will block off one lane of Lowell Road. Some traffic will be diverted and some will be allowed to go through. They will try to accomplish everything in one day instead of two days, as originally intended. There will be eight training burns: kitchen, bedroom, attic, basement, living room and then they will burn the building flat. When they leave, the building will be down and the hole flooded. It's scheduled for the weekend of April 5 & 6, hoping that it will get done in one day. They are already getting the paperwork ready and notifying the residents. Nashua Fire Department has an abundance of furniture they are donating so the house will have all the elements of an occupied structure. He has scheduled a pre-briefing for Thursday, April 3 for about 2 hours to go over the floor plan and explain what everyone's functions are, etc. The burn is scheduled to begin at 7:30 a.m. on the 5th, with an expected completion of about 3:30 p.m. The plan is to have eight crews of three people, who will be doing different evolutions. They will alter the crews with every fire so each crew will get to do a different thing.

(Start Tape 1, Second Side)

He is not concerned about the close proximity of other buildings, adding that it is in a good location. People traveling Lowell Road will be inconvenienced, however, but it's minimized. This building will provide much better training than the shell they burned at 8 Pine Road, which provided no interior fire training.

Selectman Charbonneau said she had a problem with this. There was a shopping center on the left and a gas station on the right. She asked about the Town's liability if something happened or if someone get hurt. Chief Carpentino said the fire fighters are covered under Workers Comp. Selectman Charbonneau said she was opposed to this and would not vote for it. Lowell Road is heavily traveled and this training exercise might put the Town in jeopardy. Chief Carpentino understood her concerns, but he was focusing on the advantages they would gain. The people in the mall have already been talked to to let them know what is going on; one area business in the mall across the street has already offered to donate food the entire time they are there, even up to a week.

Selectman Dilworth said where the mall is now, there used to be a house that the Town burned down for practice, and the store across the street and the gas station were there. First Brook Plaza now sits where that house once was. The training exercise was on a weekend, so there was a lot of traffic on Lowell Road. Selectman Madison said this was her third fire and she definitely needs the practice. Selectman Jasper thought it was important for the Fire Department to do this type of burn in somewhat adverse situations because it makes them more aware of problems that can arise.

Carpentino said the traffic issue was a valid concern and the only way he could address it would be to have the burn at night, but that would cause an even greater hazardous situation. There would be a sight problem with lack of lighting. In a training environment, you try to prevent things from happening. They might even present more of a danger to traffic because of smoke in an already dark environment.

There being no further comments, Chairman Seabury closed the public hearing at 7:42 p.m.

Motion by Selectman Madison, seconded by Selectman Seabury, to accept the structure from Mr. and Mrs. Sousa, located at 32 Lowell Road, for fire training purposes, to be burned as planned carried 3-1. Selectman Charbonneau was opposed; Selectman Jasper abstained because it was a Fire Department issue.

Selectman Jasper said Mr. Sousa wanted the building burned before April 1 because property value is based on what was there by April 1, but the Fire Department was unable to do the burn until after April. He hoped the Board would be willing to abate the value of the structure, if that request comes in, since the building will be there April 1, and taxed for the whole year. Paul said there has been no delay on the part of the Town and this is the first opportunity they had to go through the process. The only weekend that would beat that schedule would be Easter weekend. He thought Selectman Jasper was jumping the gun by not getting some advice from the Assessor. He didn't think Mr. Sousa would withdraw the donation even if he was not given the abatement.

Chief Carpentino said overtime money was going to be a problem for this burn, so Mr. Sousa is willing to let the Town bill him up to a certain percentage for the overtime, adding that that was extremely unusual. Paul said that acceptance of that donation was being scheduled for the next Board of Selectmen's meeting, but in discussions with staff and Selectman Madison, it may work out better to invoice Mr. Sousa directly for those overtime costs and not go through the public hearing process. Chief Carpentino said he wanted to point out that it was extremely generous for someone to not only donate a building to the Town, but was willing to offset the cost to the Town by helping to pay for the costs associated with burning the building down. He said that just doesn't happen in communities.

D. Establishing Annual Award for Fire Department Employee of the Year

The Hudson Lions Club proposed establishing an annual award of \$100 for the Fire Department Employee of the Year. They asked that the Town establish the criteria for selection. Paul said no Board action was required, that this was before them for informational purposes only. Selectman Madison said she'd like to see a board in the Fire Department to come up with the criteria for the selection. Paul said that the question was raised whether or not this runs afoul of the Ethics Ordinance, and it does not. Selectman Jasper said the Lions were asking for the Board's consideration and approval.

Motion by Selectman Madison, seconded by Selectman Charbonneau, to approve the annual award event that the Lions Club would like to give the most valuable Fire Department employee of the year.

Deputy Rogers said the Lions Club wants this to be a yearly event and hoped they wouldn't have to keep coming before the Board every year. The Board's consensus was that they wouldn't have to come before them every year. Chief Carpentino said that this was in addition to the present awards program that is in place in the Fire Department. He said that he, Deputy Rogers and Steve Benton are going to be meeting on the 31st to discuss this and come up with a game plan. Nominations will be made by Fire Department employees.

Vote--Motion carried 3-0. Selectmen Dilworth and Jasper abstained because it was a Fire Department issue that could involve them.

E. Sewer Abatement Applications (Ref. No. 10)

S-UTL-97-32 David & Carls Johnson, 19 Adam Drive,  
\$25.77  
S-UTL-97-34 Robert Vadeboncoeur, 204 Pheasant Run,

\$126.39

Motion by Selectman Dilworth, seconded by Selectman Madison, to grant, as recommended by the Sewer Utility Committee, carried unanimously.

F. Water Main Break in South Hudson

Paul said he put this on as an informational issue. Last Monday, Consumers Water had a water main break on Lowell Road. They became aware of the fact that they had a major leak and decided to open up the main in the area of Haffner's. That's normal procedure, but it's abominable that they didn't bother to notify the Town that they were doing that. There was a half-hearted notification through the Fire Department, which was a good idea since there was no water for the consumers south of Wason Road. There was a notification to all of the industries, which is how the Town found out about it. Selectman Dilworth, who works at Sanders, came in at noon and mentioned the water main break to him. He then talked to the Zoning Administrator and Health Officer because any time they lose pressure in a main, there is the potential for cross-contamination and it's a health problem. He asked Bill Oleksak if he was on top of it, but he didn't know anything about it. The Health Officer got the notification from the Town Administrator from an employee of one of the industries, not from Consumers! He thinks the Board ought to communicate to Consumers Water Company that as long as they own the system, the Town expects them to act differently and to go through the proper procedures in terms of notifications for the health, safety and welfare of all of the consumers from a fire protection standpoint, as well as from a water sampling standpoint. He said it points clearly to one of the major deficiencies of the water system that the Board has chosen to address by taking over the system. It's not a well built system. It doesn't have a looped main south of Wason Road. If a water main break occurs in that area, you lose water all the way down to the end of the system. You can't isolate areas like you should be able to do if it was properly looped. In spite of the fact Hudson is paying three times the rates for water that the people across the river are, Hudson does not have a decent system that's being kept up to date.

Motion by Selectman Dilworth, seconded by Selectman Jasper, that the Board of Selectmen, on behalf of the Town, send a letter to Consumers Water Company, expressing our displeasure at the manner in which this was handled and that they copy the Public Utilities Commission, carried unanimously.

G. Various Assessing Items

1) Intents to Cut

(Troy Harney, Spear Road, Map 18, Lot 28-2;  
MDS Builders, Lenny Lane, Map 40, Lot 3;  
Empire Homes, Spear Road, Map 21, Lot 16-2;  
Manuel Sousa, Lowell Road, Map 48, Lot 52;  
John Jacobs, Robinson Road, Map 39, Lots 37,  
37-1, 37-5)

2) Warrant for Collection of Yield Taxes (Hing  
Watt, Map 31, Lots 88-4, 5, 6, 10,11, 15,  
Copeland Drive; Frank Jatkwicz, Robinson  
Road, Map 41, Lot 7; Sousa Realty &  
Development, Greeley Street, Map 29, Lots 30 &  
48; Kevin Coalter, Copeland Drive, Map 31, Lot  
88-25)

Motion by Selectman Jasper, seconded by  
Selectman Madison, to sign the forms listed in  
Items 1 & 2, as recommended by the Assessor,  
carried unanimously

3) Elderly Exemption (Gertrude Hammond, 74  
Central Street, \$75,000)

4) Veterans Tax Credit \$100 (Raymond Freeman,  
Jr., 11 Burnham Road, Nelson Turner, 9

Richman Road)

Motion by Selectman Jasper, seconded by Selectman Madison, to approve Items 3 & 4, as recommended by the Assessor, carried unanimously.

- 5) Abatement Application, 12 Radcliffe Drive, Map 45, Lot 10
- 6) Abatement Application, 27 Adam Drive, Map 28, Lot 14-35
- 8) Abatement Application, 10R Highland Street, Map 51, Lot 83
- 9) Abatement Application, 5 Chalifoux Road, Map 4, Lot 4-85
- 10) Abatement Application, 57 Sullivan Road, Map 32, Lot 67

Motion by Selectman Jasper, seconded by Selectman Madison, to grant Items 5, 6, 8, 9 & 10, as recommended by the Assessor, carried unanimously.

- 11) Abatement Application, 15 Ferry Street, Map 51, Lot 46
- 12) Abatement Application, 26 Hampshire Road, Map 10, Lot 11-4

Motion by Selectman Jasper, seconded by Selectman Madison, to deny Items 11 & 12, as recommended by the Assessor, carried unanimously.

7) Abatement Application, 9 Twin Meadow Drive, Map 42, Lot 3-10 (This item was withdrawn at the request of the Assessor.)

9. OTHER BUSINESS

A. Parking on Alvirne Drive

Selectman Madison said she received a call from Jim Rice indicating that neighbors are getting concerned again about parking on Alvirne Drive and traffic on Sunland Drive. He wanted the Selectmen to confer with the School Board and let the students park at the Hills House. Selectman Jasper said, relative to the parking on Alvirne Drive, he's talked with the Chief of Police and a representative of that neighborhood and they came up with a solution that was acceptable. He told that representative that the residents had to come before the Board with a consensus of what they wanted done. Otherwise, nothing was going to happen. Chairman Seabury said Jimmy called her, too, and that's what she essentially told him. Selectman Charbonneau said he called her, too.

B. Landfill Closure Grant

Selectman Madison said they've received a lot of correspondence on the landfill closure grant and she wanted to make sure staff was on top of it because it expires June 30, 1997. Paul said Mike responded to the last notification, which asked for additional information. Selectman Dilworth said the Finance Director was involved, as well.

(Start Tape 2, Side A)

C. Contingency

Chairman Seabury said Paul gave her a breakdown of the money spent from the Contingency account: Roof at Lions Hall, \$18,000; Asbestos cleanup, \$16,000; MRI, \$22,000.

10. LICENSES AND PERMITS

Hawker/Peddler Permit Request by Michael MacDonald to operate a canteen truck in Hudson

Motion by Selectman Jasper, seconded by Selectman Madison, to approve the permit carried unanimously.

11. ACCEPTANCE OF MINUTES

- A. Minutes of the Selectmen's Meeting of February 11, 1997
- B. Minutes of the Selectmen's Meeting of March 11, 1997

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

12. COMMITTEE ANNOUNCEMENTS

- 03/26 7:00 LMR Planning Board
- 03/27 7:30 LMR ZBA
- 04/01 7:30 Rec Cmt @ Rec Center
- 04/02 7:00 LMR Planning Board Workshop
- 04/03 7:30 Sewer Utility Committee
- 04/07 7:30 LMR Board of Selectmen
- 04/08 Voting at Lions Hall 7:00 a.m. - 8:00 p.m.

There were no changes or additions to the listing.

13. REMARKS BY THE SELECTMEN

Chairman Seabury was pleased that the first phase of Town Meeting was over and wished both incumbents Selectmen good luck in the upcoming elections.

Selectman Dilworth said they were going to be short quite a few Selectmen at the polls and he asked who was responsible for appointing Selectmen. Selectman Jasper said the Moderator was responsible.

Tour of the Renovated Downstairs Area--A break in the proceedings occurred from 8:10 - 8:20 p.m. while the Selectmen and other interested audience members toured the recently renovated downstairs area.

14. NONPUBLIC SESSIONS

Motion by Selectman Jasper, seconded by Selectman Madison, to enter Nonpublic Session under RSA 91-A:3 II (c) matters which, if discussed in public, likely would affect adversely the reputation of any person carried 5-0 by roll call vote.

Nonpublic Session was entered into at 8:20 p.m. and was terminated at 9:10 p.m.

15. ADJOURNMENT

Motion by Selectman Jasper, seconded by Selectman Madison, to adjourn at 9:10 p.m. carried unanimously.

Recorded and Transcribed by Priscilla Boisvert  
Executive Assistant to the Board of Selectmen  
HUDSON BOARD OF SELECTMEN

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Ann Seabury, Chairman

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Rhona Charbonneau

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Howard Dilworth, Jr.

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Shawn N. Jasper

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E. Lorraine Madison



