

HUDSON BOARD OF SELECTMEN  
Meeting of March 11, 1997

1. CALL TO ORDER by Chairman Seabury at 7:05 p.m.
2. PLEDGE OF ALLEGIANCE led by Selectman Rhona Charbonneau
3. ATTENDANCE
4. PUBLIC INPUT

Richard Dube, "Coffee on the Run" -- Mr. Dube asked that the Board reconsider his request for a Hawker-Peddler permit in order to sell coffee on the old Meadows property, which is now Town-owned land. He has an established clientele that he will lose if he cannot continue to do business where he is. The Board denied the permit at their meeting on February 25, 1997. The Board sympathized with Mr. Dube, but felt that they could not make an exception for him.

Rudy Lessard, "Coffee on the Run" -- Mr. Lessard spoke on behalf of Mr. Dube, formally requesting the Board to allow Mr. Dube to continue selling coffee at the Meadows until the Board decides what to do with the property, or until it is sold. He said Mr. Dube has been there for seven years, and operates from 4 a.m. - midnight, Monday through Saturday, regardless of how bad the weather is and he provides personalized, friendly service.

DISCUSSION W/GREG LANTOS, NRPC (Nashua Regional Planning Commission)

Greg Lantos distributed copies of Routes 3A, 102 and 111 (TIP) Improvement Plan and the advertising schedule. Mr. Lantos said NRPC is in the process of visiting with local communities to brief them on what is already in the hopper for projects. It's the Town's opportunity to make any changes or requests for new projects, which generally require 20% local match. The Board doesn't have to tell NRPC, at this time, what they are applying for for CMAQ projects and transportation enhancement projects, such as sidewalks and bike paths. Those applications will be due at the beginning of October. This is the time for any other types of projects.

Mr. Lantos said Hudson has four programmed projects--widening of Sagamore bridge, two to four lanes; widening Route 3A from Rena to Dracut Road (scheduled for 2000); widening Route 102 Highland Street to MacDonald's (scheduled for 1999); and the ISTEPA project, enhancement to sidewalks, pedestrian improvements on Route 102 near Alvirne (this summer).

Selectman Charbonneau asked if the Birch Street reconstruction qualified for federal money. Mr. Lantos said all of the state highways are available for federal funding, with a 20% local match. The Town did qualify for CMAQ funds to coordinate the traffic signals, but probably one intersection wouldn't qualify. Based on the schedule, March 1 was the deadline for NRPC to receive projects from the communities because they have to report to DOT April 1. There is still some time, but the window of opportunity is closing. Selectman Charbonneau said the area by County Road is very dangerous. Mr. Lantos said in order to get a project on the TIP, the Selectmen would have to vote to support the project and then seek authorization for the funding at Town Meeting.

Chairman Seabury asked if the four projects that the state will do would be completed within a year. Mr. Lantos said yes, in most cases. Paul said the projects on the list that Greg passed out are identified on the Master Plan. Mr. Lantos said that the items that are listed are on the TIP, which means that there are funds behind it.

Selectman Madison talked about the \$65,000 petitioned article on the warrant that will go before Town Meeting this year that would provide for a light at Birch Street which, if passed, would relieve some of the congestion along Lowell Road and she wondered if some of it would have to be redone if the item on the TIP for reconstructing Route 3A, Birch Street and Connector Road in the amount of \$766,400 is approved. She mentioned that Joe Wozniak, the original of the petition, was present and asked if he could provide any insight.

Joe Wozniak was recognized and he said the light would go at the same intersection. He asked if any of the \$65,000 could be used as part of the 20% Town match. Mr. Lantos said they can't put in a light and then say that's a match for a larger project. Selectman Charbonneau said this may be eight or 10 years down the road. The petition is asking for a three-way light which might, eventually, have to be replaced by a four-way light. Mr.

Lantos said if the light is put in prior to the State approving the project, then the Town would have to work out the details with the State. They may say it's a separate Town project.

Selectman Jasper didn't think they should be mixing the petitioned warrant article for \$65,000 in with the TIP because they are not one in the same. He didn't think the intersection was the best, but it was not dangerous; it's the impatient people who pull out. There isn't a large amount of serious accidents in that area. Selectman Charbonneau said this is a very, very dangerous area and they have to be concerned about the safety issue. There are near-accidents in the area of County Road-Lowell Road constantly. Chairman Seabury said they have to consider all possibilities and if Belknap has to be a thru-way, so be it.

Joe Wozniak encouraged the Board to show the leadership to improve the corridor from Hetzers down to Wason Road. The VHB study of 1994 articulates what needs to be done there. Greg needs to know from the Board what their priorities are. He said the Town could start the sidewalk projects right now from Riverside Avenue down to Birch or the Pelham Road. ISTEA is being reauthorized in the Congress and the Senators and Representatives are looking for projects to do in their states. Other communities are taking advantage of this and are getting sidewalks and granite curbing, and Hudson should be doing that. Hudson should have alternate methods for people to get from place to place without having to use a motor vehicle. Program the projects now to get them into the TIP.

Chairman Seabury asked Mr. Lantos when he needed their answer. He said bidding starts April 1. Allocated to Hudson are the STEP 388 funds for portions of urban areas. Hudson has already overspent their allocation by about \$2 million.

(Start Tape 1, Second Side)

Selectman Madison said she'd love to see the sidewalk project go forward. Mr. Lantos said someone would have to make a motion that the Town wishes to program a certain project and the Town will seek the 20% local match for that project. She asked if they have to apply for it today. Mr. Lantos said this is the beginning of the process where they get the projects from the local communities. Selectman Dilworth said the Town can apply for sidewalks through ISTEA through October 1. About a year ago, the Engineer provided him with a cost per linear foot for sidewalks. He feels that the Board should be putting some amount of monies aside every year in order to do sidewalks, but there are other issues involved, such as plowing them. He'd rather see the Board put together a plan and apply in October. Selectman Madison agreed, as long as it doesn't get lost in the shuffle.

Selectman Jasper said most of the projects included five-lane cross-sections, which he thought was overkill. He didn't want to turn Lowell Road into Amherst Street. For the most part, it's easy to get around the Town, except for the peak traffic times. If the roads are widened to five lanes, it will take away the rural character, which the people have consistently said they want to keep. Five lanes to nowhere is not a solution; it's stacking traffic and it's ugly. Chairman Seabury said Item 9 is a project they probably could all agree on.

Motion by Selectman Jasper, seconded by Selectman Dilworth, to program #9 "Route 3A between Birch Street and Central Street, estimated cost of \$144,700 to maintain the existing three-lane section and extend existing sidewalks to both sides of Route 3A," and will seek the 20% local match for the project, carried 4-1. Selectman Charbonneau voted in opposition.

Motion by Selectman Charbonneau, seconded by Selectman Madison, to do project #8, Route 3A/ Birch Street/Connector Road Intersection at an estimated cost of \$766,400.

Selectman Madison said they were foolish not to apply for this project. Traffic is congested along this corridor and it is difficult for emergency vehicles to get through. They have to look to the future, and Lowell Road is no longer a rural area. Selectman Jasper was opposed to this, adding that it was turned down at Town Meeting. It is a huge mistake to turn roads into five-lane cross-sections. This should be taken to the voters and ask them if this is what they want to have done to their Town. He disagreed that emergency apparatus could get down the road; three lane cross sections have worked very well for that. Selectman Charbonneau said that Chief Gendron told her it's very dangerous. Selectman Jasper said that has not been his experience. To make a huge strip through the middle of Town is a mistake. Selectman Madison said this was just a blueprint for the future, the Town may not even be put on the list, it will be several years down the road, and the Town may want to withdraw it at a

later date. She agreed with Selectman Jasper that the people should vote on it.

Chairman Seabury said she didn't like a five-lane cross-section on Lowell Road. Selectman Jasper said if you put all the pieces together, you pretty much end up with five lanes all along Lowell Road. Selectman Dilworth said this didn't pass at Town Meeting partly because of money, but mostly because of poor planning. It's true there is a problem down there and a proposal was brought forth this year to address that problem. It's very difficult to make a left hand turn onto Lowell Road from the Winnhaven Drive-Birch Street area. This project wouldn't change the residential neighborhood. If they endorse what is on the TIP, that is the message they will be sending forth. He doesn't think they should be going in that direction. There are other projects in Town that are far more important that really ought to be looked at that aren't on this list because they're not in the corridor. To go forward with this just to get 'free-for-nothing-money' is wrong.

Selectman Jasper said that, as a technical point, Items 8 and 9 conflict with one another. One says to maintain the 3-lane existing section and the other says reconstruct to provide 5-lane section. Paul said #9 is a corridor improvement, all the way up to Central. Selectman Jasper said they are overlapping at the intersection. He'd like to see an overlay of the two plans before they approve anything. Joe Wozniak interjected that the VHB study shows that from Central to Birch is a three-way section and Birch to Wason is a five-lane section. Selectman Jasper said, with the overlap, you'd be spending monies twice on the same project. Several people said that was not necessarily true. Discussion continued.

Selectman Madison said the letter in their packet from NRPC was received by the Board in November 1996 and not one of them chose to bring it forward before tonight. In fairness to everyone, if the changes were needed by March 1, it should have been brought forth earlier. She'd like to see some of the projects done, but this was an informational meeting, and now was not the time to make decisions on whether or not to do projects, adding that that was poor planning.

Vote on the motion to do project #8, Route 3A/ Birch Street/Connector Road Intersection at an estimated cost of \$766,400 failed by a vote of 1 - 4. (Selectman Charbonneau voted in favor.)

ATTORNEY-CLIENT SESSION -- The Board of Selectmen adjourned to the small meeting room to conduct an Attorney-Client session at 7:55 p.m. and resumed the regular meeting at 8:15 p.m.

5. CORRESPONDENCE RECEIVED

A. FROM: Fire Chief Frank Carpentino  
RE: Various Items  
REFER TO: New Business

B. FROM: Michael Gospodarek, Town Engineer  
RE: Status of Lowell Road Corridor (map in  
Selectmen's Office for viewing)  
REFER TO: New Business

C. FROM: Sewer Utility Committee  
RE: Sewer Acceptance, Riverwood Estates, Map 28, Lot  
4  
Facilities Expansion--Campbello Street, Map 54,  
Lot 3  
REFER TO: New Business

D. FROM: William Oleksak, Health & Code Enforcement  
Officer  
RE: Health Ordinance for Septage and Sludge  
Management  
REFER TO: New Business

E. FROM: American Legion, Post 48  
RE: Annual Poppy Drive  
REFER TO: New Business

F. FROM: The Community Church  
RE: Easter Sunrise Service on Musquash Pond  
REFER TO: New Business

G. FROM: Jim Michaud, Assessor  
RE: Assessing Items  
REFER TO: New Business/Nonpublic Session

H. FROM: Wilbur Palmer, Vocation Director, Alvirne  
RE: Street Light on Route 102  
REFER TO: Highway Safety Committee

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

6. NOMINATIONS & APPOINTMENTS

A. Conservation Commission (1 Alternate, Term to expire 12/31/99)

Scott Scully

Mr. Scully said he saw the ad in the HLN and wanted to do his part in becoming involved in the community. He works in pollution control for HADCO.

Motion by Selectman Jasper, seconded by Selectman Madison, to appoint Scott Scully to the Alternate position, with a term to expire 12/31/99, carried unanimously.

B. Nashua Regional Planning Commission (1 Alternate, Term to expire 12/31/98)

Jean Serino

Ms. Serino was not present. She called earlier in the day to say she is reconsidering her application.

C. Solid Waste Study Committee (3 Members, Terms to expire 12/31/97, '98 and '99.)

Scott Scully

Motion by Selectman Jasper, seconded by Selectman Madison, to appoint Scott Scully to the SWSCOM, with a term to expire 12/31/99, carried unanimously

7. OLD BUSINESS

A. Recommendation from Highway Safety Committee re. Request for a crosswalk on Lowell Road at First Brook Plaza

Motion by Selectman Charbonneau, seconded by Selectman Madison, to approve the recommendations of the Highway Safety Committee and direct the Road Agent to paint the crosswalk across Lowell Road, at First Brook Plaza, with pedestrian signs and barrel carried unanimously.

B. Procedures for Hawker-Peddler Permits

Chairman Seabury presented the following procedure for Hawker-Peddler permits:

1. The Zoning Administrator shall review the permit for conformance to site plan regulations. If the site plan does not indicate a location for that activity, it will be denied unless the Zoning Administrator determines that it falls within the grandfather status.

2. Christmas trees, or other seasonal sales, shall be given grandfather status if the activity has been allowed at that location during the past five consecutive years, or if the activity has a non-profit organization status.

The Zoning Administrator shall review the permit for conformance to site plan regulations. If the site plan does not indicate a location for that activity, it will be denied unless the Zoning Administrator determines that it falls within the grandfather status. The BOS further directed that Chapter 232-4 of the Hudson Town Code shall be amended to include this item as Section (9).

Selectman Jasper commended the Chairman for bringing this forward, adding that Item 1 most closely resembles what the Board already said.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to adopt Item 1 as Board policy, amending the

Town Code, Chapter 232-3, Application for License, adding this as Section (9), "The Zoning Administrator shall review the permit for conformance to site plan regulations. If the site plan does not indicate a location for that activity, it will be denied unless the Zoning Administrator determines that it falls within the grandfather status."

Selectman Dilworth also commended the Chairman for bringing this forward. He said that the Town Code actually has a chapter on Hawker-Peddler permits. It's good to adopt a procedure, but it should be formally tied to something instead of floating around out there, like other things already are. He asked if this had been reviewed by the Town Attorney and, if there was a difference of opinion with the Zoning Administrator, if there was an appeal process, either through the ZBA or the Selectmen. Selectman Jasper said the Zoning Administrator's opinion can always be appealed to the ZBA. Paul said the Board already has a valid policy that they adopted that says none of them anywhere unless all of the underlying land use issues have been resolved. Selectman Dilworth said they did that only to have something, but now they were going to do something of a more formal nature, adding that maybe not everyone knows that Zoning Administrator opinions are appealable to the ZBA.

Chairman Seabury asked what the Christmas tree vendors were going to have to do now. Selectman Jasper said they have to go through the Planning Board. Hopefully, that Board will be very cooperative, especially with non-profit organizations selling Christmas trees. The Board didn't feel it was necessary to go to the Town Attorney. Selectman Madison said the Zoning Administrator always includes a sentence on all of her correspondence stating that they have a right to appeal the decision.

Vote: Motion carried unanimously.

8. NEW BUSINESS

A. Items from the Fire Department (Memos dated 2/23, 3/3, 3/5 and 3/6/97)

1) Public Hearing on Revision of Ambulance Fee Schedule

Chief Carpentino said the EMS coordinator notified them that ComStar, who does the ambulance billing for the Town, that, effective January 1, 1997 the maximum allowable fees authorized by Medicare and BC increased and the Town was below the maximum allowable rate. That is why this item is before them.

(Start Tape 2, Second Side)

There was a meeting that took place recently of the municipal departments in the area to discuss ambulance fees and billing between organizations. He hasn't received any information from that meeting (that he was unable to attend) as yet. He understands other towns are also getting to the rates that the insurance agency will provide.

Chairman Seabury opened the public hearing at 8:45 p.m. and asked if anyone in the audience wished to speak to these slight increases. Selectman Jasper said he was looking at cardiac monitoring for \$30 with a proposed increase to \$108.60 and said he didn't think that was just a slight increase.

John Drabinowicz asked if this was an increase in addition to what people pay in their taxes. Chief Carpentino said the fees would be paid by their insurance. Mr. Drabinowicz asked how people without insurance would pay. Chief Carpentino said the Town could provide some exemptions. Mr. Drabinowicz thought it was unfair to increase the fees just because some bureaucrats in some billing agency decides they want to collect more money.

Selectman Madison said the ambulance issue has always been a pet project of hers. When she was in the Juniors years ago, they worked hard to provide a lot of equipment for the ambulance. Hudson's rates are the lowest around, and they have kept them low for a number of years. She felt that it was time to raise the rates. If someone can't pay their bill, they can always look at it and make appropriate

adjustments. Chairman Seabury said she'd rather pay this than the other alternative.

Audrey D'uteuil asked for a clarification on the rates. Chief Carpentino said the basic rate is currently \$100 and the proposed rate is \$144.07. Depending on the services one requires, there are different additional fees. She asked what portion Medicare covers. Chief Carpentino said they have been told that Blue Cross and Medicare will cover the fees requested. She asked what Medicare alone will cover. He said either Blue Cross or Medicare will cover the proposed fee schedule.

Chief Carpentino could understand that the rates were high but, unfortunately, some day the rates are going to be increased. The \$30 may jump to \$308 instead of the proposed \$108. Somewhere along the line, the fees are going to increase, whether it is 1997 or 2007. The longer the Town waits, the greater the increase will be.

There being no further comments, Chairman Seabury closed the public hearing at 8:48 p.m.

Motion by Selectman Madison, seconded by Selectman Charbonneau, to approve the new ambulance fee schedule, as proposed by Chief Carpentino in his memo dated 2/23/97.

Selectman Jasper said he'd like to see the fees that the Town charges are relevant to the cost to the Town. One of the reasons insurances go up is because the cost goes up. By their approving this large percentage increase, it only adds to the spiraling health care costs. He didn't want to see the Town's ambulance service costing more than it needs to. He requested that someone look into the real costs of some things, particularly the fifth through ninth items. (Cardiac monitoring 30 to 108; Defibrillation from 50 to 63; IV's from 30 to 80; IV drugs from 30 to 80; Mast from 35 to 44) He asked if this was something they were charging because they were allowed to charge that amount. Chief Carpentino didn't know the breakdown of each item, but costs factored in included man hours, training, etc. Using the present fee structure, in 1992, the Town's cost was \$110,097. In 1993, costs went up to \$113,244 and in 1996, it was \$129,507. In a matter of four years, there was a \$19,000 cost increase. If the Selectmen wanted him to cost out each item on the ambulance, he would, but it will take an awful lot of time. Selectman Charbonneau said the cost of a new ambulance has to be factored in, as well, because they have to be replaced every few years. Selectman Jasper said that would have to be factored into the basic rate.

Chief Carpentino said he'd get together with the EMS coordinator and paramedics to determine what the costs are. He said that if someone needs a cardiac monitor, they want it to be state of the art and they want it to work. And these things cost more money when it's related to a specific function. Selectman Jasper said he knows that people are going to question the Selectmen for voting to increase ambulance fees and it would be nice to be able to substantiate the reasons for their vote.

Chief Carpentino said the EMS-Mutual Aid system was going to change how they are billed. If Hudson provides mutual aid to Windham, Hudson will be able to bill for the services they provide. It used to be that if they went to Windham, Windham would get the money. If Windham increases their fees to \$300, that's the bill the people will get. Either way, there will be an increase somewhere along the line for someone.

Selectman Madison said Hudson's rates are a lot lower than Rockingham. Right now, the Town is providing basic life support, but pretty soon, they will be providing advanced life support. Chief Carpentino agreed. He said they are licensed under the State of NH to provide for basic life support, and that is determined by the level of training you provide 24 hours a day. Eventually, it's the hope of the Fire Department to provide a higher level of care to the community, i.e., ALS. They presently have two paramedics and another is within two months of being certified. There

are others who have expressed a desire to go to school for the training. So the Fire Department nearly has the components in place now to provide ALS service. Right now, they are providing ALS service well below BLS rate.

Vote: Motion to adopt the proposed fee increase carried 3-1. Selectman Dilworth voted in opposition. Selectman Jasper abstained because it was a Fire Department issue.

## 2) Hiring additional Call Fire Fighters

Chief Carpentino said they talked before about increasing the level of call fire fighters, as well as permanent fire fighters. They now have 24 part-time employees, 17 of which are call fire fighters, divided between three companies--Central, Burns Hill and Robinson Road--and there are two ATM's and five provisional employees. The hope is to increase the number of call fire fighters from 17 to 30, with 10 per company. The more they have, the better chance they will have to get a full crew on the truck to respond to a fire. It will give them more manpower to rotate people. There's a lot of fatigue factors involved with any structural fire, brush fire or hazardous material incident. Sometimes they get only one person back; sometimes no one responds. He said if he's given authorization to take the call force to 30, he's not going to go out tomorrow to hire them. They'll advertise for it and then go through a testing process. They're already receiving a number of applications from people who live in the community who want to become EMT's or firefighters. There are professional fire fighters, who work for other departments, but live in Hudson that want to render their services to the community. That way, they get qualified, trained people that they won't have to spend a lot of time and effort to train them. There will be a cost associated with it for pay and to cover them under Workers' Comp. If this number is increased to 30, the Fire Department will keep the Board informed on where they are in the process, and put people on. At the next Board meeting, the Fire Department will supply the names of who was added. It's the same thing with the part-time dispatchers. If they aren't all trained together on department skills, it slows the process down and they end up paying double. One of the part-time dispatchers resigned, effective last Saturday. There are two in training and there is a third on the list. It didn't make any sense to him to have that person wait until after tonight to bring him in to start training, when he is paying someone time-and-a-half to train other people.

Selectman Madison asked how much gear is available if they bring in more call fire fighters. Chief Carpentino said the current 17 fire fighters have gear and there is about eight more sets available in storage for usage. He plans to phase in the 13 additional fire fighters, if it is approved. This is a way they can increase staffing of the outlying stations so that when there is a call, there will be a crew on the truck. It's not a safe practice for one person to respond to a call on a truck. There is money in next year's budget to purchase gear.

Selectman Jasper said he understood the Chief's position, but since the Board is the hiring authority, they should be the ones who do that. The Board even hires the lifeguards for the summer Rec program. It should be more than a paper trail. It is the Board of Selectmen who do the hiring for the Town. He thinks the Chief should be able to put those people on (so they don't miss out on the training), pending the approval of the Board. Chief Carpentino said he could put them on on a temporary basis, but they won't become covered by insurance until they are employees of the Town. The Board agreed that the Chief could bring them in for training, but the Board would do the hiring. Chief Carpentino said that is fine.

Motion by Selectman Madison, seconded by Selectman Charbonneau, to allow the Fire Chief to hire call fire fighters, not to exceed the authorized number of 30 set by the Board of Selectmen), over a period of time, on a temporary basis for training purposes, with final approval by the Board of Selectmen.

(Start Tape 3, Side A)

Vote: Motion carried 3-0. Selectmen Dilworth and Jasper abstained because it was call fire fighter issues. Motion by Selectman Madison, seconded by Selectman Charbonneau, to authorize the Fire Chief to hire part-time dispatchers, on a temporary basis, subject to confirmation by the Board of Selectmen, carried 4-0. Selectman Jasper abstained because it was a Fire Department issue.

3) Call Lieutenants Promotion Process

Chief Carpentino said they've advertised to fill three vacant Call Lieutenant positions. There are three independent companies on the Call force. The Burns Hill Road and Robinson Road stations have two active people that qualify. The posting went out yesterday. They will do a resume review, run a written test, and oral board and hope to come up with three people within the Call force to bring to the Selectmen.

4) Mission Statement

"The mission of the Hudson Fire Department is to preserve life, property and the environment from man-made and natural disasters through education, which providing emergency medical services, fire and rescue operations, communications, public education and fire prevention programs."

Chief Carpentino said when he came to Hudson, one of the first things he did was provide each employee with a survey of the Fire Department. Part of that survey included a copy of the Department's Mission and Philosophy statements that the Board acted on last fall. That mission statement was written by a single individual and was shown to a half dozen people within the department. The remaining members of the 52-member Fire Department never saw it. The members should have had a say into what the Fire Department's services are. The statement before them this evening is a revised version of the other one, but put together by the membership of the department, what they felt the service to the community was. It also includes a public education prevention program for the community. It is his intent for this mission statement to appear on the backs of all business cards for the Fire Department.

Selectman Madison didn't think it was necessary for the Board to approve the Fire Department's mission statement but, since the last one was brought before them for approval, she thought the Fire Department should know that the Board approved of this one. Chief Carpentino felt foolish coming before the Board with this because it was an internal matter, but the Board took a formal vote to approve the first statement. That's why the revised one is before them tonight.

Motion by Selectman Madison, seconded by Selectman Charbonneau, to strike the previous mission statement and let the new Fire Chief and his department provide a new mission statement.

Selectman Madison said this will never have to come before them again.

Vote: Motion carried 4-0. Selectman Jasper abstained because it was a Fire Department issue.

NONPUBLIC SESSION

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

Nonpublic Session was entered into at 9:15 p.m. and was terminated at 9:30 p.m.

5) Hiring of Part-Time Dispatcher

Motion by Selectman Madison, seconded by Selectman Charbonneau, to hire Patrick Carey at \$7.50, effective



March 8, 1997 carried 4-0. Selectman Jasper abstained because it was a Fire Department issue.

6) Promotion of a Full-Time Lieutenant's Position

Motion by Selectman Madison, seconded by Selectman Charbonneau, to approve the promotion of Dave Morin to Lieutenant, at the union scale, effective immediately, carried 4-0. Selectman Jasper abstained because it was a Fire Department issue.

Motion by Selectman Madison, seconded by Selectman Charbonneau, to appoint Steve Gannon as Acting Lieutenant, at the union scale, effective immediately, carried 4-0. Selectman Jasper abstained because it was a Fire Department issue.

B. Status of Lowell Road Corridor (The Bottleneck Project & Wason Rd. to Executive Drive)

Mike Gospodarek, Town Engineer, was present. He referred to a map showing a layout of Lowell Road from Executive Drive to Hardy Road. He tried to soften the curves by increasing the radiuses along with changing the angle in which drivers enter and exit the curves to make it a little smoother. The design speed on that is approximately 45 mph, which is the exciting speed. He also tried to take into account some of the sensitive areas, such as the wetlands, Presentation of Mary, the nursing home, Citek, and the auto dealership. At the last meeting he attended, he was directed to look at a five-lane section for the purposes of purchasing the right-of-way. It doesn't include any impacts on drainage, such as the catch basins and how they are going to connect to the wetlands, because he can't do that until the roadway is actually physically designed.

Selectman Jasper said his understanding was that the Town Engineer was instructed to enter into negotiations for purchase of right-of-way that would accommodate a five-lane section, but only a three-lane section was going to be designed. Mike said he wasn't handling design right now. He was showing them a right-of-way that will accommodate a five-lane section. And that is why they extended Caron Engineering's contract to do a further survey to the south, where the state is going to pick up on the circumferential work, so they can have a better idea of how the whole corridor is going to start moving instead of just the intersection.

Selectman Jasper asked if any of the property owners have been approached yet. Mike said they approached Presentation of Mary and they said it would take seven to nine months to communicate with Rome. Last week, they talked with their appraisers, so they will now be in a position to hold a meeting on the right-of-way takings, which should happen in April. He asked if any Board members would like to sit in on those negotiations. The two large trees and the arches would be impacted by the taking. When he met with them seven months ago, he asked them to think about how they are master-planning their future, their entrances to that house so that maybe there is only one curb cut off Lowell Road.

Selectman Jasper thought it would be important for a Board member to sit in on negotiations, and volunteered to do so. Chairman Seabury said she would sit in, too, if she was available.

Selectman Jasper asked where the septic system was located that Mike referred to in his memo under "The Bottleneck Project." Mike said that was the house in the south end, right after the church on the right-hand side. There is an old dry well septic system in the front of the lot. The bottleneck he referred to included Dracut Road.

Selectman Dilworth asked Paul if he talked to Mike about monies for sewer extension for the Rena area, down the hill and to the church. Paul said he hasn't had a chance yet.

Mike said if the concept he has presented to the Board is acceptable, he will proceed with it. Selectman Jasper said Mike went heavy on the east side of the road instead of on the west side, where most of it is vacant. Mike said it was because of existing businesses. At the corner of Executive Drive is WMI, who would be severely impacted to take more land from them, so you need to hold the right of way at that corner. You also have parking for Citek and the used car dealership, which would also get hit pretty

good if he realigned it towards them. And right of way acquisition gets expensive. (As Mike was talking, he was indicating on the map the areas he was referencing.)

Selectman Dilworth felt that what Mike did was fine. He didn't mind that they softened the curves, but he would leave some curves there to prevent it from becoming a speedway. The rest of the Board didn't have any problem it, either.

Mike then asked the Board about the Lowell Road-Executive Drive intersection design. He said the corridor fees are paying for the design of that intersection, which the Board wants to be a three-lane intersection. But that contradicts the Planning Board corridor study. If they are taking Planning Board monies out of the corridor accounts, they should be designing roads that agree with what the studies say. In this case, a five-lane section. To do a three-lane section contradicts what the studies say. He said he spoke with Attorney Ratigan about this, and he confirmed that it is contradictory. They shouldn't be using corridor monies to design a project that is not corridor related. The traffic engineer's opinion is that a three-lane section will be in failure, and it's sub-standard right now. It has no impact on the corridor, other than providing safe turning at the lights. He'd hate to start on the project, only to find out later on that they have to reimburse the corridor accounts for a design of an intersection because it doesn't meet the requirements.

Selectman Jasper said the design would be for five lanes, so if they went that route, it would be compatible. They would just add on to it, so it wouldn't be a waste, even if they went with the three lane. It's one of those intersections that requires attention, but he agreed that they probably hadn't considered it as Planning Board money. The Planning Board can't go around building roads for the Town, but they have money that they have control of, so they can say they don't want to spend their money on something. He said it was too bad John (Ratigan) wasn't present for this discussion. Selectman Madison knew that Selectman Jasper wanted to keep Hudson rural, but there was nothing rural about Lowell Road. If they have to make any of their roads five lane, they should do it on the main corridors; otherwise, they are just wasting money. If they do three, it's already in failure.

(Start Tape 3, Second Side)

Chairman Seabury said an example of a bottleneck is going across Taylor Falls bridge into Nashua, where two lanes becomes one lane. Selectman Jasper said five lanes work only when you've got someplace to go. Selectman Dilworth said this came before them some time ago and the Board voted on specific direction. Now it's coming back before them, and they are being told it's not allowed. He asked why the attorney wasn't consulted before. He said that there should be a process in the PEZ departments for things like this. There was even some confusion over the reserving of some monies because all of the facts weren't there. He is very concerned about this, and it seems to keep happening.

Selectman Charbonneau said Caron Engineering told them that Lowell Road was at failure right now, and that four lanes would bring them up to 2010. They have taken impact money to improve the roads. She didn't understand the reasoning behind going with only three lanes. Selectman Jasper said because half a mile up the road and down the road, it will still be at failure. One little section of road for people to zoom through doesn't accomplish anything. Selectman Charbonneau said Lowell Road will be severely impact with the second bridge going up next to Sagamore bridge, and none of them could see the future of the Town. They should either solve problems or go back to horse and buggy days. The cars will be stacked up and there will be problems. She couldn't understand how the others could keep saying no to all of it.

Selectman Jasper said Selectman Charbonneau thinks that roads is the panacea that will correct the ills of the Town, but when they discuss other things, she consistently votes no. Selectman Charbonneau asked what she always said no to. Selectman Jasper said salary increases and budgets. Selectman Charbonneau asked him to tell her when she voted no on salary increases and budgets. Selectman Jasper said the Town Clerk, the Police Chief, the Fire Chief, Paul Sharon and Priscilla. Selectman Charbonneau said yes, and he knew the reasons why. Selectman Jasper said he feels that human resources are important for the Town, and he didn't think that spending the amount of money necessary to put in five lanes at

that intersection will get them anywhere. Discussion continued.

Selectman Dilworth said they've already waited quite awhile on this project and didn't think a couple more weeks would really matter, but they really should meet with Attorney Ratigan on the thorny issue. For now, the Engineer can start with purchasing right of way for five lanes. Selectman Jasper said that sounded logical and reasonable to him.

Lenny Smith was recognized. He said not to forget the industrial area down there. Those people aren't necessarily going to zoom through that five lane intersection. They are building the four lanes now and hope that the traffic from the industrial park will be pushed over to Nashua. He said they should look at it as five lanes going out of Town, not into Town. It's difficult for the 18-wheelers to navigate out of the industrial park.

Chairman Seabury asked the Board what direction they wanted to give the Engineer. The consensus was to buy for five. Selectman Jasper said if the majority of the Board wants to go with five lanes, there is no need to talk to Ratigan. Selectmen Madison and Charbonneau wanted to go with five lanes; Selectmen Dilworth, Jasper and Seabury did not. Selectman Jasper said it's ultimately up to the Planning Board in terms of use of money.

Change in the Order of the Day

Motion by Selectman Madison, seconded by Selectman Dilworth, to change the Order of the Day to take up Item 10, Licenses and Permits carried unanimously.

Public Hearing & Board Action on an Outdoor Gathering  
Permit Request by Society of New England Artist Association,  
for an art show on the Hudson Town Common April 27, 1997

Motion by Selectman Dilworth, seconded by Selectman Jasper, to approve the permit.

Stephanie Sampson, Executive Director of the NH Coalition for the Homeless was present and stated that they would be providing a certificate of insurance for the event.

Vote: Motion carried unanimously.

C. Sewer Acceptance, Riverwood Estates, Map 28, Lot 4

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

D. Facilities Expansion--Campbello Street, Map 54, Lot 3

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

E. Health Ordinance for Septage and Sludge Management

The Health Officer informed the Selectmen's Office today that a Blue Ribbon committee in Concord is re-writing this ordinance.

Motion by Selectman Dilworth, seconded by Selectman Madison, to postpone indefinitely carried unanimously.

F. American Legion, Post 48's Annual Poppy Drive

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

G. The Community Church's request to hold Easter Sunrise Service on Musquash Pond

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

H. Assessing Items

1) Intents to Cut: Map 37, Lot 88-2/Copeland Drive; Map 45, Lots 162, 162-1, 166-1/Atwood Avenue; Map 5, Lot 3-34, Schaeffer Circle

Motion by Selectman Dilworth, seconded by Selectman Charbonneau, to sign, as recommended by the Assessor carried unanimously.

2) Current Use Release, Map 29, Lot 37-1/Greeley Street, MDP Management

Motion by Selectman Dilworth, seconded by Selectman Madison, to sign, as recommended by the Assessor carried unanimously.

3) Elderly Exemption (David Reitan, 43 Dracut Road)

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

4) Veterans Tax Credit/\$100 (Howard Duley, 30 Cedar Street; Gerald McMillan, 17A Lenny Lane

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

5) Abatement Applications--15 Commercial Street, Map 32, Lot 37; 14 Park Avenue, Map 32, Lot 38; 14 Commercial Avenue, Map 32, Lot 37-4; 9 Commercial Avenue, Map 32, Lot 37-3

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

6) Abatement Application, Lockheed Sanders, 65 River Road

Motion by Selectman Jasper, seconded by Selectman Madison, to sign Notice of Default, as recommended by the Assessor carried unanimously.

7) Abatement Application, 7 Chalifoux Road, Map 4, Lot 4-86

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

8) Abatement Application, 17 Partridge Circle, Map 10, Lot 21-24

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

9) Abatement Application, 49 Quail Run Drive, Map 10, Lot 21-51

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

10) Abatement Application, 67 Glen Drive, Map 14, Lot 42

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

9. OTHER BUSINESS

A. Designation of Selectmen to Speak to the Warrant Articles on March 15, 1997

Article 5, Highway Garage Bond, Selectman Charbonneau

Article 6, Ratification of a single-year contract negotiated between the Town and the Police Union for Wage and Benefit increases, Selectman Jasper

Article 7, Ratification of a single-year contract negotiated between the Town and the Administrative and Support Staff Union for Wage and Benefit increases, Selectman Dilworth

Article 8, Wage and Benefit Increase for Non-Union Employees, Chairman Seabury

Article 9, Wage and Benefit Increase for Employees of the Library, Selectman Madison

Article 10, Wage and Benefit Increase for Town Clerk/Tax Collector, Selectman Dilworth

Article 11, Adopting the Town Operating Budget

Article 12, Hiring of Police Officers, Selectman Jasper

Article 13, Drug Task Force Officer, Selectman Jasper

Article 14, School Resource Officer, Selectman Jasper

Article 15, Two Firefighters, Selectman Madison

Article 16, Fire Department Dispatcher, Selectman Madison

Article 17, Full-Time Technical Services Librarian, Chairman Seabury

Article 18, Supervisors of the Checklist, Selectman Dilworth

Article 19, Assessor's 1997-1998 Property Valuation Update (from surplus), Selectman Jasper

Article 20, Purchase of 10-Wheel Dump Truck, Selectman Charbonneau

Article 21, Two Vehicles for Planning, Engineering and Zoning, Selectman Charbonneau

Article 22, Equipment for Cable Broadcasting, Selectman Dilworth

Article 23, Elderly Property Tax Exemption

Article 24, Totally and Permanently Disabled Property Tax Exemption

Article 25, Library Trustees Acceptance of Gifts, Selectman Jasper

Article 26, Electioneering Activity at Town Meeting, Selectman Jasper

Article 27, Birch Street/Lowell Road Traffic Signal, Selectman Dilworth

Article 28, Animal Shelter, Selectman Dilworth

B. Trailers Parking at the Meadows Property

Selectman Dilworth said that he's noticed, when driving by Meadows property, there seems to be more and more trailers parked there and he wanted to know how they would go about posting no overnight parking signs there. Chairman Seabury said that ramshakled wood operation is encroaching into the wetlands area. Every time she goes by, there's another building that has gone up. She said the Zoning Administrator must be going by with blinders on. It's a mess out there. Paul said there's no barrier against the Town going in there and posting some signs. Selectman Dilworth said if people park there, the Town should have the option of hooking and towing the trailers. Selectman Madison said the signs should read, "Vehicles will be Towed." Selectman Charbonneau suggested no parking signs after a certain hour. Selectman Jasper said there should be no parking there at all. Paul suggested signs that say no parking in areas that will interfere with the current operations. Selectman Dilworth agreed, saying that the trailers were parked apart and away from current retail establishments. There were about four trailers there this weekend, and it has to stop. The rest of the Board concurred.

10. LICENSES AND PERMITS

(Taken up earlier in the agenda after Item 8-B)

11. ACCEPTANCE OF MINUTES

Minutes of the BOS Meeting of February 25, 1997

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

12. COMMITTEE ANNOUNCEMENTS

03/12 LMR 7:00 Planning Board  
03/13 LMR 7:30 ZBA  
03/14 School Meeting at Memorial  
03/15 Town Meeting at Memorial, starting at 9:00 a.m.  
03/17 LMR 7:30 Conservation Commission  
03/20 LMR 7:30 Budget Committee  
03/20 SCR 7:30 Sewer Utility Committee  
03/25 LMR 7:00 Public Hearing on Warrant Articles (from deliberative session on 3/15/97)  
03/25 LMR 7:30 BOS

13. REMARKS BY THE SELECTMEN

Selectman Jasper thought it was strange this year not to have elections on this day.

Selectmen Madison wished everyone a good Town Meeting on March 15th.

Selectman Charbonneau echoed Selectman Madison's sentiments.

14. NONPUBLIC SESSIONS

(Taken up earlier in the agenda, after 8-A)

15. ADJOURNMENT

Motion to adjourn at 10:40 p.m. by Selectman Charbonneau, seconded by Selectman Madison, 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  
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