

# Town of Hudson

## Select Board

Minutes – August 21, 2023

Hudson Police Station, 911 Municipal Drive

7:00 PM



All non-confidential documents relative to this agenda are available in the Office of the Select Board or click on link below.

<https://www.boarddocs.com/ma/hudsonma/Board.nsf/Public>

### 1. **Call to Order:**

*Present were Mr. Duplisea, Mr. Burks, Ms. Congdon and Mr. Gregory. Also present were Ms. Santos and Ms. Vickery.*

### 2. **Minutes to be Approved:**

- a) Public session minutes – July 31, 2023.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to approve the public session minutes of July 31, 2023 as amended.*

### 3. **Meetings and Public Hearings - 7:00 PM:**

- a) Select Board to meet with the Planning Board to consider a joint-appointment to fill the current vacancy on the Planning Board.

*Present members of the Planning Board were Mr. D'Amelio, Mr. Frias, Mr. Daigneault and Mr. Filippi. Both boards met with Mr. Joe Mitchell and interviewed him. The second candidate did not attend the meeting.*

*The Planning Board and Select Board both voted unanimously by roll call vote to approve the temporary appointment of Mr. Mitchell to fill a vacancy on the Planning Board for a term to expire on May 13, 2024.*

### 4. **Licenses:**

- a) Select Board to consider issuing a One-Day All Alcohol Pouring License to Thomas Gladden for a party to be held on September 2, 2023 between the hours of 7:00 PM and 9:00 PM at Roller Kingdom located at 5 Highland Park Avenue.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to issue a One-Day All Alcohol Pouring License to Thomas Gladden for a party to be held on September 2, 2023 between the hours of 7:00 PM and 9:00 PM at Roller Kingdom located at 5 Highland Park Avenue.*

- b) Select Board to consider issuing a One-Day Outdoor Entertainment License to the Hudson Cultural Alliance for an event to be held on September 10, 2023 from the hours of 3:00 PM – 9:00 PM to be held at the Hudson Armory located on Park Street.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to issue a One-Day Outdoor Entertainment License to the Hudson Cultural Alliance for an event to be held on September 10, 2023 from the hours of 3:00 PM – 9:00 PM to be held at the Hudson Armory located on Park Street.*

- c) Select Board to consider issuing a One-Day All Alcohol License to Amanda Boudreau of Kith and Kin for an event to be held at 35 Washington Street on September 10, 2023 from 4:00 PM – 9:00 PM.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to issue a One-Day All Alcohol License to Amanda Boudreau of Kith and Kin for an event to be held at 35 Washington Street on September 10, 2023 from 4:00 PM – 9:00 PM.*

- d) Select Board to consider issuing a One-Day All Alcohol License to Tom Sutter of Medusa Brewing for an event to be held at 35 Washington Street on September 10, 2023 from 4:00 PM – 9:00 PM.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to issue a One-Day All Alcohol License to Tom Sutter of Medusa Brewing for an event to be held at 35 Washington Street on September 10, 2023 from 4:00 PM – 9:00 PM.*

- e) Select Board to consider issuing a One-Day All Alcohol License to Jamie Muldoon of Clover Road Brewing for an event to be held at 35 Washington Street on September 10, 2023 from 4:00 PM – 10:00 PM.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to issue a One-Day All Alcohol License to Jamie Muldoon of Clover Road Brewing for an event to be held at 35 Washington Street on September 10, 2023 from 4:00 PM – 10:00 PM.*

- f) Select Board to consider approving a transfer of ownership for Jade Restaurant located at 12 Broad Street.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to approve a transfer of ownership for Jade Restaurant located at 12 Broad Street.*

## **5. Personnel:**

- a) Select Board to note the resignation of Karen Bigeau as Communications Dispatcher for the Police Department, effective August 25, 2023.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to note the resignation of Karen Bigeau as Communications Dispatcher for the Police Department, effective August 25, 2023.*

- b) Select Board to note the resignation of Paul LaCroix as Chief Operator at the Wastewater Plant, effective August 15, 2023.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to note the resignation of Paul LaCroix as Chief Operator at the Wastewater Plant, effective August 15, 2023.*

- c) Select Board to note the resignation of William Gray as Janitor, effective August 18, 2023.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to note the resignation of William Gray as Janitor, effective August 18, 2023.*

- d) Select Board to consider approving the conditional appointment of William Gray as full-time Communications Dispatcher at a Grade 10A, step 1, effective August 25, 2023.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to approve the conditional appointment of William Gray as full-time Communications Dispatcher at a Grade 10A, step 1, effective August 25, 2023.*

- e) Select Board to consider approving the conditional appointment of Cathy Porter as part-time Payroll and Billing Clerk for the Police Department at a grade NU-D, step 1, effective August 25, 2023.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to approve the conditional appointment of Cathy Porter as part-time Payroll and Billing Clerk for the Police Department at a grade NU-D, step 1, effective August 25, 2023.*

- f) Select Board to consider approving the appointment of Carlos Morales as W-1 Laborer / Driver in Training at a grade W-1, step 1, effective August 22, 2023.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to approve the appointment of Carlos Morales as W-1 Laborer / Driver in Training at a grade W-1, step 1, effective August 22, 2023.*

- g) Select Board to consider approving the appointment of Cameron Cathcart as W-1 Laborer / Driver in Training at a grade W-1, step 1, effective August 22, 2023.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to approve the appointment of Cameron Cathcart as W-1 Laborer / Driver in Training at a grade W-1, step 1, effective August 22, 2023.*

- h) Select Board to consider approving the appointment of Steve Collins as W-1 Laborer / Driver in Training at a grade W-1, step 1, effective August 22, 2023.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to approve the appointment of Steve Collins as W-1 Laborer / Driver in Training at a grade W-1, step 1, effective August 22, 2023.*

- i) Select Board to consider approving the appointment of Thomas Micciche as W-1 Laborer / Driver in Training at a grade W-1, step 1, effective August 22, 2023.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to approve the appointment of Thomas Micciche as W-1 Laborer / Driver in Training at a grade W-1, step 1, effective August 22, 2023.*

- j) Select Board to consider approving the appointment of Adriano Ferreira as W-1 Laborer / Driver in Training at a grade W-1, step 1, effective August 22, 2023.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to approve the appointment of Adriano Ferreira as W-1 Laborer / Driver in Training at a grade W-1, step 1, effective August 22, 2023.*

- k) Select Board to consider approving the promotion of Adam Santos from W-2 Laborer to W-6 crew leader, effective August 22, 2023.

*On a motion by Ms. Congdon, seconded by Mr. Duplisea, the Board voted 2-0-1 to approve the promotion of Adam Santos from W-2 Laborer to W-6 crew leader, effective August 22, 2023. Mr. Burks abstained.*

## **6. Contracts:**

- a) Select Board to consider awarding a contract to Brady Network Management Corporation in the amount of \$17,728.80 for UPS (uninterruptable power supply) for the Town Hall server.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to award a contract to Brady Network Management Corporation in the amount of \$17,728.80 for UPS (uninterruptable power supply) for the Town Hall server.*

- b) Select Board to consider approving Memorandum of Agreement between the Town of Hudson and AFSCME Council 93, Local 3625 (DPW) with regard to Laborer & Truck Driver in Training Program.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to approve the Memorandum of Agreement between the Town of Hudson and AFSCME Council 93, Local 3625 (DPW) with regard to Laborer & Truck Driver in Training Program.*

## 7. General:

- a) Select Board to consider approving a successor Memorandum of Understanding between the Town of Hudson and the Hudson Business Improvement District.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to approve a successor Memorandum of Understanding between the Town of Hudson and the Hudson Business Improvement District.*

- b) Select Board to consider accepting \$3,800 from the Hudson Cultural Alliance per G.L. Ch. 44, Sec. 53A to fund costs associated with an appraisal for 35 Washington Street.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to accept \$3,800 from the Hudson Cultural Alliance per G.L. Ch. 44, Sec. 53A to fund costs associated with an appraisal for 35 Washington Street.*

- c) Select Board to consider accepting \$19,117 from the Hudson Cultural Alliance per G.L. Ch. 44, Sec. 53A to fund insurance premium costs associated with the 35 Washington Street (Armory) renewal.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to accept \$19,117 from the Hudson Cultural Alliance per G.L. Ch. 44, Sec. 53A to fund insurance premium costs associated with the 35 Washington Street (Armory) renewal.*

- d) Select Board to consider approval of the purchase of mobile and portable radio equipment through Motorola Solutions for the Fire Department in the amount of \$19,482.20 for its Brush Truck.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to approve the purchase of mobile and portable radio equipment through Motorola Solutions for the Fire Department in the amount of \$19,482.20 for its Brush Truck.*

- e) Select Board to consider accepting a donation from Trish and Tom Desmond to the Senior Center in the amount of \$5,000.00.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to accept a donation from Trish and Tom Desmond to the Senior Center in the amount of \$5,000.00.*

- f) Select Board to consider accepting a grant from BayPath/Springwell in the amount of \$4,500.00 to help senior citizens with hoarding tendencies.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to accept a grant from BayPath/Springwell in the amount of \$4,500.00 to help senior citizens with hoarding tendencies.*

- g) Select Board to consider accepting a grant from BayPath/Springwell in the amount of \$30,992.00 for the FY 24 DayBreak Social Day Program.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to accept a grant from BayPath/Springwell in the amount of \$30,992.00 for the FY 24 DayBreak Social Day Program.*

- h) Select Board to consider signing a Drainage Easement Agreement between the Town of Hudson and 62 Packard Street, LLC.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to sign a Drainage Easement Agreement between the Town of Hudson and 62 Packard Street, LLC.*

- i) Select Board to consider approving the formation of the New DPW Facility Committee.

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to approve the formation of the New DPW Facility Committee.*

- j) Select Board to consider appointing a member to serve as the Board's representative to the New DPW Facility Committee.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to appoint Mr. Duplisea to serve as the Board's representative to the New DPW Facility Committee.*

- k) Select Board to consider amending the Personnel Regulations by adding the Military Leave Policy to section 4 of the Personnel Regulations.

*On a motion by Mr. Burks, seconded by Ms. Congdon, the Board voted 3-0 to amend the Personnel Regulations by adding the Military Leave Policy to section 4 of the Personnel Regulations.*

## **8. Citizens' Issues:**

- a) Select Board to meet with representatives from Buscemi's Convenience Store to discuss tobacco regulations.

*Brian and Tony Buscemi of Buscemi's Convenience Store addressed the Board regarding tobacco regulations in Hudson. Brian Buscemi read the following statement to the Board. Brian stated that they are here to voice their concerns about how the Hudson Board of Health keeps making regulations that have a dramatic negative impact to the 21 businesses who hold tobacco licenses.*

*"In 2018 the HBOH changed the minimum age to 21. They did this a year early knowing the state was already changing it. In 2020 they banned the sale of flavored tobacco products 6 months before the state. This made it impossible to sell through our current inventory.*

*Hudson businesses lost thousands of dollars in sales. Businesses in surrounding towns profited from this because people just went to the next town over. So, we lost the tobacco sale and whatever additional items customers would have bought.*

*The Board of Health held a hearing on Monday August 14 about Restricting the sale of Tobacco Products in Hudson. NO Businesses were notified about this hearing we found out from one of our customers last minute. We should be notified if there are hearings that would have any impact on our businesses. They were trying to slide in new regulations without proper notification. At the hearing we found out some key issues that would have a negative impact to our businesses, with the potential to put some of us out of business.*

*The board is implementing a new fining structure. If a store violates any of their regulations the fines are:*

- 1st violation is a \$1,000 and tobacco sales permit shall be suspended for up to 30 days*
- 2nd violation is a \$2,000 and tobacco sales permit shall be suspended for up to 45 days*
- 3rd violation is a \$5,000 and tobacco sales permit shall be suspended for up to 60 days*

*If we could not sell tobacco for 30 days it could put us out of business. It's 25% of our business not counting what additional items people buy when purchasing a tobacco item. It would create loss of future business as well because people would get in the habit of going to another store. Also having the term of the suspension left up to the 3 board of health members does not seem right. These businesses are our livelihoods for our families. The board of health acts like we want to sell to minors. We obviously do not want this, but people make mistakes. Most of our employees are part time, we do our best to hire and train the most reliable people we can find, but trying to hire people these days is extremely difficult.*

*Another key issue is the Board of health is now telling us that when we sell our business the tobacco license does not transfer to the new owner. They are saying*

*the license will go to the first person on a waiting list. First come first serve. I asked when this change was made and the board told me in 2014 Regulations that were amended in 2015. When looking it up though in the 2014 Regulations it states applicants that purchase a business, that holds a current tobacco license, has 60 days from the sale to apply for the permit held by the seller. So, they are saying it was changed then but really was not. There are 21 tobacco licenses in town. If the license does not transfer to the new owner and they give it to someone on a waiting list. You are still going to have the same number of licenses in town. It's just going to destroy the resale value of our businesses. For small family owned business selling your business is your retirement. No one is going to want to purchase one of our businesses without a tobacco license. If this is not changed your neighborhood convenience store will be a thing of this past. The board of health should be working with the businesses in town and not against them.*

*We asked Board what the bottom line was with the changes. They told us it was in the 15 Page document that we had to go pick up at the board of health. It was not online for people to access until Friday the 11th when the hearing was scheduled for the 14<sup>th</sup>. We asked for a summary of the changes. Did not get that till the day of the hearing.*

*We were as told the only thing we had to worry about was the fines, which does not seem true.*

*We would like to propose to the Board of Selectman and the Executive Assistant to help us take out the excessive tobacco permit suspensions and allow the tobacco license to be transferable when selling our business. Also, any decisions that affect the bottom line and resale value of any business should go through the Select Board. Since they are a board of 5 and have a better understanding of how businesses operate in town.*

*I don't know if you guys can even assist us with any of this, but maybe you could let us know what steps to take to fix these issues."*

*Mr. Duplisea noted that the Select Board does not have authority over the Board of Health. However, he did state that businesses in Town are important and the Board is here to listen to their issues.*

*Ms. Congdon stated that she agrees that the Board of Health should not be going above and beyond the state regulations. She went on to say that the non-transfer of the license is unfair. She suggested allowing the current license holders be grandfathered in. She then encouraged those that are interested send an appeal in writing to the Board of Health.*

## **9. Town Issues:**

*Mr. Ryder notified the Board that effective tomorrow Brigham Street will be closed between Harriman Street and Park Street due to the condition of the culvert on Brigham Street. A temporary sidewalk with fencing will be installed for the safety of students walking to and from school. He anticipates this will take over a year. The culvert replacement is currently in the design phase. The permitting process could take up to five (5) months. Mr. Ryder anticipates construction to begin next summer.*

*Mr. Duplisea asked for an update regarding the paving of various town roads. Mr. Ryder stated that due to the weather the schedule has been set back. Paving is scheduled for Friday – Saturday, weather permitting.*

*Mr. Ryder also noted that Forestvale Road will be paved this year as well.*

**10. Correspondence to be Noted by Clerk:**

**11. Executive Session:**

**12. Adjourn:**

*On a motion by Ms. Congdon, seconded by Mr. Burks, the Board voted 3-0 to adjourn its meeting of August 21, 2023 at 8:05 PM.*

**Select Board  
Correspondence List – August 21, 2023**

1. N/A