



Town of Plaistow ♦ Board of Selectmen
145 Main Street ♦ Plaistow ♦ NH ♦ 03865

SELECTMEN MEETING MINUTES

DATE: August 6, 2007

CALL TO ORDER: 6:35pm

PRESENT: Lawrence W. Gil, Vice Chairman; John A. Sherman; Charles L. Blinn, Jr.; Daniel J. Poliquin

EXCUSED: Michelle L. Curran, Chairman

DELIBERATIVE SESSION:

L. Gil opens the meeting at 6:35pm. He states that Robert J. Gray will be acting Moderator.

R. Gray states that Town Moderator Barry Sargent and Assistant Moderator Norm Major are unable to attend the meeting tonight and he was asked to perform the duties of Moderator. He states that he will be conducting the meeting using Robert's Rules of Order. Residents wishing to speak are instructed to come to the microphone and state their name and address. Residents have the right to vote by secret ballot. He states for the record that there are not any non-residents wishing to speak. R. Gray calls the meeting to order and the pledge of allegiance is recited. He states that the inhabitants of the Town of Plaistow, New Hampshire, in the county of Rockingham are gathered this evening to explain, discuss and debate Article: STM 07-01 – Are you in favor of the amendment as proposed by the Planning Board repealing Article VII, Elderly Housing District of the Plaistow Zoning Ordinance? Furthermore, you are hereby notified to meet for the second session of the special town meeting at the Plaistow Public Library, on Tuesday, September 18, 2007 from 8:00 am to 8:00 pm for ballot voting.

J. Hoch states that Town Meeting approved the Elderly Housing Ordinance. After applications came in and the issues began to surface the Selectmen stated to the Planning Board that they would support a special town meeting. The Planning Board decided to proceed with the special town meeting. At this time the applications that have already been seen by the Planning Board will remain in the process and this article does not affect those rights of the plans before the Board. An affirmative vote in September will close the door to more applicants.

Dan Collins, 33 Canterbury Forrest asks if the original ordinance was something forced on us by the federal government.

J. Hoch states that there was no requirement to have this ordinance. The Planning Board had some language addressing elderly housing and the requirements that were listed were too stringent.

D. Collins asks if any study was done that showed a need for elderly housing.

Planning Board Chairman Tim Moore states that there was no formal study, but the Rockingham Planning Commission had data that showed that Rockingham County was deficient in elderly housing.

D. Collins states that he was concerned that there may be repercussions if we did not have this ordinance.

T. Moore states that we are not precluding someone from building elderly housing. You can build elderly housing at the same density as other housing.

J. Sherman states he is in favor of a yes vote to repeal the article. He feels this will give the Planning Board time to improve the article. On the concept he is in favor of elderly housing.

R. Gray states that we will reconvene on September 18, 2007, at 8:00 am, at the Plaistow Public Library for voting.

L. Gil closes the Deliberative Session at 6:45pm.

NONPUBLIC:

► Motion by John Sherman and second by D. Poliquin to enter into nonpublic session pursuant to RSA 91-A: 3, II (d) consideration of property.

ROLL: D. Poliquin – yes, L. Gil – yes, C. Blinn – yes, J. Sherman - yes

Entered into nonpublic at 6:47pm.

► Motion by John Sherman and second by D. Poliquin to exit nonpublic session pursuant to RSA 91-A: 3, II (d) consideration of property and seal the minutes for 45 days.

ROLL: J. Sherman – yes, C. Blinn – yes, D. Poliquin – yes, L. Gil - yes

Exit from nonpublic at 7:34pm

MINUTES:

► Motion by J. Sherman and second by D. Poliquin to approve the minutes of July 9, 2007.

VOTE: 3-0-1 C. Blinn abstains.

► Motion by J. Sherman and second by D. Poliquin to approve the minutes of July 23, 2007, as amended.

L. Gil states that on the 4th page from the back, the heading GIS should be replaced with Congresswoman Carol Shea Porter Visit.

D. Poliquin states that on the 3rd page from front, 3rd paragraph regarding parking issues, replace sings with signs and on the 9th page from the front last statement under the heading Walmart, place not before shut down.

VOTE: 3-0-1 C. Blinn abstains.

PUBLIC COMMENT:

No members of the public wishing to speak.

PUBLIC HEARINGS:

L. Gil states that the first public hearing is to accept \$2,062.50 from FEMA for the Smith Corner Road culvert.

J. Hoch states that when FEMA came through they estimated the amount of work needed and are paying 75%of the costs.

L. Gil asks if this work will be done in-house.

J. Hoch states this will be budgeted in 2008 due to need of an equipment operator.

L. Gil asks if Smith Corner Road has been repaired to a standard safe for the public.

J. Hoch states it has been patched and is regularly checked.

► Motion by J. Sherman and second by C. Blinn to accept and expend \$2,062.50 from FEMA for Smith Corner Road culvert.

VOTE: 4-0 U/A

L. Gil states that the second public hearing is to accept \$4,770.73 for costs related to storm damage in Rolling Hills subdivisions.

J. Hoch states that this is a reimbursement for expenditures that have already been made. If the Board accepts this it will be credited back to the Highway Department.

► Motion by J. Sherman and second by D. Poliquin to accept and expend \$4,770.73 for costs related to storm damage in Rolling Hill Subdivision.

J. Sherman states that we were lucky during this storm that this damage was not more severe.

VOTE: 4-0 U/A

CORRESPONDENCE:

J. Hoch states that the Selectmen received a letter from George Melvin thanking Detective Dorothy McGurren for an investigation that found suspects that took tools and equipment from a job site. Additional investigation alerted his daughter to the location of a pawn shop that received her missing jewelry. The Selectmen received a copy of a response to a Legal Inquiry on behalf of the Zoning Board of Adjustment (ZBA) to Local Government Center (LGC) regarding propriety of ZBA to hear appeals. The Selectmen received a letter from Comcast notifying the Town that the DVR service prices will be increasing by \$3 per month in September. J. Hoch states that there is an upcoming LGC Budget & Finance Workshop available to elected officials.

FINANCE:

J. Hoch states that there is a change to the bi-weekly accounts payable check schedule and as a result there is a small manifest that needs to be signed tonight.

HEALTH:

J. Hoch states that contrary to what residents may have heard or read this week, no Castleberry products potentially contaminated with botulism were found in town. Shaws had pulled products and Market Basket has a product by the maker not subject to the recall. Health Officer Dennise Horrocks reported this accurately to the State and somehow the information got mangled at the State level, leading to the media frenzy earlier this week. The State has issued a retraction.

L. Gil asks if the Health Officer contacts all the carriers of products in Town.

J. Hoch states that the large chain stores have a risk management department and she is checking with the smaller carriers. She sends notices home with meals on wheels and contacts food pantries because of their susceptibility.

J. Hoch states that D. Horrocks sent out an email confirming that EEE positive mosquitoes were found in Newton, NH. This is the time of year to be actively thinking about the threat of mosquitoes. If you are out in the evening, nighttime or dawn, be sure to wear protective clothing such as long sleeved shirts, pants and socks and consider wearing mosquito repellent.

L. Gil reminds residents of the importance of bug spray and clothing during the hot days.

PLANNING:

J. Hoch states that the ZBA did not have 5 members in attendance so the Selectmen's hearing has been continued until August 23, 2007.

J. Sherman asks that the date for the ZBA meeting be confirmed.

FIRE:

J. Hoch states that he received a memo from Fire Chief McArdle regarding AMR work stoppage and department procedures. If this stoppage had occurred and it reached the point that we were doing transports and were taking on more costs and receiving more reimbursement, we would look at ways to credit the Fire Department Budget for this unanticipated revenue and expense.

J. Sherman asks if this is the contingency plan if we had a catastrophe and AMR services were not available.

J. Hoch states that yes, this would be the contingency plan.

L. Gil states that he spoke with the Fire Department and they also looked at this as a training opportunity in an event that AMR was not available.

WATER:

J. Hoch states that he and Fire Chief McArdle met with SFC Engineering Partnership regarding the waterline assessment. The project will be kicking off in August and they anticipate being able to complete it in 30 days.

HIGHWAY:

J. Hoch states that Highway Supervisor Dan Garlington has converted Park Avenue to a one-way street. The costs for striping and signs for Park Avenue came to approximately \$475.

L. Gil asks if we had any concerts since the change and how did this work.

J. Sherman states that he attended the concert this week and there were 9 cars parked inappropriately. He states that a bar being painted at Elm Street would eliminate one problem that he saw. He states that 2 cars were parked on the wrong side of the street, 3 parked facing the wrong way and 2 parked on the outskirts of the angle in parking. He feels that the large barricade that is up is helping the situation.

L. Gil states that at the last meeting the Board discussed the possible need for police presence.

J. Hoch states that at this time he does not see the need for police presence.

WEB:

J. Hoch states that Virtual Town Hall will be meeting with departments on August 9, 2007 to review web site sections.

TOWN HALL:

J. Hoch states that the carpet has been installed in the second floor offices and the Assessing and Health Offices have moved. J. Hoch states that Maintenance

Supervisor Dave Bowles expects to prepare the vacated offices for the Finance Officer and Treasurer to move into.

J. Sherman states that the work that has been done looks great. He states that he would be in favor of taking the wall out between the Finance and Treasurer. He sees this will make the department larger and would be a better use of space. This would be economical and increase the space.

J. Hoch states that his preference was to keep the wall and view the operations of the department. He sees that the wall being removed is easier than putting it back.

J. Sherman suggests leaving this decision up to the Town Manager to prevent a delay in construction.

D. Poliquin asks if the Town Clerk being in the Great Hall will overlap with the Selectmen's meeting.

J. Hoch states he will discuss this with the Town Clerk.

INSPECTION:

J. Hoch states that in reference to the impact of a "No Trespassing" sign, Building Inspector Mike Dorman states that he generally heeds those, only going to the door in such a case to secure permission to access the property. In theory, this means that in the case of a site investigation, he would need to assume non-compliance until he is able to view the property. This has not been an issue as people have either given permission due to a pending application or they have been engaged in a reasonable conversation.

J. Sherman clarifies stating that M. Dorman assumes noncompliance and the property owner needs to prove compliance.

J. Hoch states this is in theory because he has not had an issue gaining access.

L. Gil asks what the protocol would be if access was denied.

J. Hoch states that you could get a search warrant or access the property under an emergency health, welfare & safety need.

J. Hoch informs the Board that the State of NH has adopted new building codes to be effective on August 17, 2007. M. Dorman has begun training through the NH Building Officials association on these changes.

ASSESSING:

J. Hoch states that the Selectmen received a Memo from Assessor Wil Corcoran regarding the 2007 assessment statistics. The memo indicates that the overall ratio is 95%. The commercial properties have a ratio of 76%. J. Hoch states that W.

Corcoran has found that the overall ratio over the longer period is 72%. W. Corcoran's memo recommends performing an update for commercial/industrial properties and feels that there are sufficient funds within the budget.

J. Sherman asks if this will delay our tax bills.

J. Hoch states assuming W. Corcoran meets the timetable it will not affect things on our end.

J. Sherman is in favor of making these adjustments. He states that we are frequently commenting that we want assessments to be fair and accurate. The adjustments will make us where we should be.

L. Gil states that the State recommendation would be that we update this.

J. Hoch states that we are trending well within budget.

J. Sherman states that if we have the funds, we can meet deadlines, bring us back to State guidelines and this makes us fair and accurate, he is in favor.

D. Poliquin states that he would like to see the numbers used by W. Corcoran to reach this decision. He is not seeing the same numbers in sales.

J. Sherman states the numbers have been given to the Selectmen on a regular basis.

L. Gil states the issue is that we are on a tight timeline and may not be able to wait for figures.

D. Poliquin states he will need to vote no if he cannot see the numbers before the vote.

► Motion by J. Sherman and second by C. Blinn to direct the Town Manager to direct the Assessing Agent to perform an update on commercial/industrial property per the memo from Corcoran Consulting Associates dated 7/29/07.

D. Poliquin states that the sales sheets from the Assessing Department are not showing a 17-19% difference.

VOTE: 3-1-0 D. Poliquin votes no.

J. Sherman states that the Assessment Procedure in the Town Report states that the recommendation for updates should be in by 7-17-07. He states that he thinks a lot of W. Corcoran's work and wants this pattern of presenting information late to stop. He states that this recommendation came in 2 weeks late and prohibited us from asking for more information before needing to make a decision. He states that he is sympathetic to D. Poliquin's point.

OTHER:

Credit Card Policy:

► Motion by J. Sherman and second by C. Blinn to approve the Credit Card Policy to be effective September 4, 2007.

L. Gil asks if employees will be assigned a card or will retain their cards.

J. Hoch states that they will have the employees name on the card.

L. Gil asks if the Tax Identification Number has been removed.

J. Hoch states it was removed.

L. Gil asks if these are run of the mill expenses or unexpected expenses.

J. Hoch states that this is dependent on the situation. An example would be if we were looking at prices and could buy something online.

D. Poliquin asks what happens if something could not be returned.

J. Hoch states the scrutiny does not change whether it is a credit card or store account. If it is a violation, it is a violation.

L. Gil asks about the Town Manager's role in oversight.

J. Hoch states that employees are limited to what they can purchase and he will have oversight.

D. Poliquin asks if this will eliminate the store charges.

J. Hoch states that it may. We need to look at what cards we hold and the purchases we make. He gives the example of gas cards. Currently, we have 3 different types of accounts. 1 vendor has the option of doing the tax rebate for the Town another does not.

VOTE: 3-1-0 D. Poliquin votes no.

Fund Balance:

J. Hoch stated that the Selectmen received a copy of the Revised Fund Balance Strategy with information from GFOA about recommended levels.

J. Sherman states that what was handed out has good information but brings up new issues. He would like to add to the scope that maintaining the fund balance maintains a stable tax rate. Having a fund balance strategy improves your credit rating. He suggests replacing "shall achieve" with "strive to maintain."

J. Hoch will make the changes and present it to the Selectmen at the next meeting.

Discussion of a strategy to get to the 12% target.

File Conversion:

J. Hoch states that various offices have been working to implement the recommendation from King Information Systems about file consolidation and organization. The Town Clerk and Tax Collector are purging and consolidating in anticipation of the move. J. Hoch states that the Town Manager's files have been purged, and organized from 12 draws to 4 draws.

Congresswoman Carol Shea Porter:

J. Hoch states that he followed up with Carol Shea Porter's office and the meeting for Selectmen, Town Clerks, Administrative Assistants, Town Administrators and Town Manager's will be held in the fall.

Network:

J. Hoch states that the network was partially down on Wednesday due to a switch failure. The switch was replaced with a new one with excess capacity. The new switch has the ability to move the entire network to it if the second older switch were to fail in the future.

Job Descriptions:

J. Hoch states that he has been working with Department Heads to revise job descriptions and once they are completed he will issue a set to the Selectmen.

SIGNATURE FOLDER:

L. Gil asks when someone gets criminal records check.

J. Hoch states that if you have direct contact with children you need to have criminal records check done.

OLD BUSINESS:

L. Gil asks if the trash removal at condominium complexes would be done. He states that his recollection is that the complexes needed to find a suitable place for the dumpster on a public road. He would like to look into this.

J. Hoch states that this involves roads. He did give his card to the residents that were at the July 9, 2007 meeting that raised the issue and invited them to come in to discuss the issue.

SELECTMEN REPORTS:

J. Sherman attended the Recreation Commission meeting. They discussed a preliminary budget. The new field maintenance will need to be included in the budget. The roofs on the new dug outs need to be completed, it was suggested that

this would be a great Eagle Scout project. He states that the Recreation Commission discussed building construction at the new fields. There was some confusion of term dates but this was no indication of the Recreation Commission not wanting to reappoint the member discussed. J. Sherman will be on vacation next week and not available. He expresses his condolences to Ernie Sheltry for the loss of his wife. He states E. Sheltry is a wonderful man and he and his wife were married for 60 years.

C. Blinn does not have a report.

L. Gil states that the Conservation Commission had a meeting with the Harriman Road Association with a turnout of 30 people. The residents are interested in protecting land and are looking into options for purchasing and conserving the land. L. Gil expresses his condolences to Ernie Sheltry.

D. Poliquin does not have a report. He expresses his condolences to the Sheltry family.

ADJOURNMENT:

Meeting adjourned at 8:55 PM.

Respectfully submitted,
Nicole Carr
Recording Secretary