



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

SELECTMEN MEETING MINUTES

DATE: October 29, 2007

CALL TO ORDER: 6:35 pm

PRESENT: Michelle L. Curran, *Chairman*; Charles L. Blinn, Jr.; Daniel J. Poliquin; John A. Sherman

EXCUSED: Lawrence W. Gil, *Vice Chairman*

PLEDGE OF ALLEGIANCE

The Plaistow Recreation Coloring Contest Winners.

The selectmen awarded prizes to all winners.

MINUTES:

► Motion by J. Sherman and second by D. Poliquin to approve the minutes of 10/15/2007 and defer 10/22/2007 until the following week.

VOTE: 3-0-1 C. Blinn abstains

PUBLIC COMMENT:

No members of the public wishing to speak.

BUDGETS:

Planning budget:

The Planning and Zoning Budget is attached.

Additional discussion on the following items:

J. Hoch states permanent position reflects wagers at current rate and overtime continues at same formula as last year with rate adjusted to 6 hours x 24 meetings. Mapping – GIS services, data conversion unchanged. We may want to revisit that separate from Lee's budget. I forwarded email to Gordon that the consultant is giving a presentation Friday at 1pm. We would like to have some of our members there. Legal pushed up from \$7,500 to \$12,000. The trend is increasing. If you look at expenses through 9/30 we were close to budget and have now exceeded budget so 12k best estimate for next year.

J. Sherman asks what's issues are driving up the budget.

J. Hoch replies elderly housing at this point. I have sorted through first wave of interpretation and now those plans will be coming before the board so we have to sort through the rest of the details that are considered to be challenges.

L. Komornick replies this doesn't reflect most recent \$3k bill.

M. Curran asks on a given year could you identify what would trigger the budget increase based on who is coming into town and what the area is.

L. Komornick replies no, there are too many unforeseen items that come up during the year. The issue of the elderly housing was unforeseen.

J. Sherman asks that's not a stipend.

J. Hoch replies that's correct actual hours only.

J. Hoch states I did give you a revised revenue projection. Projection of all planning board fees is about 15k in revenue.

M. Curran requests any questions.

J. Sherman asks about the attorney's fees.

J. Hoch replies in most cases they are fees that we end up requesting while trying to sort through the issues. Lee identified earlier this year when early on with the TESTA application we knew there were a set of questions and that having council here would help expedite so in consideration, because it assisted in their process, they actually paid part of our attorneys' fees.

J. Sherman replies they reimbursed the town because we wanted our attorney there.

Hoch the intent was that the meeting had been delayed two times so it was obvious there would be questions that would arise so if we could expedite that process would they be willing to reimburse us.

J. Sherman states so having our attorney allowed the process to be sped up.

M. Curran asks is the minute taker position one that we will be a per hour position. Taking people out of the position itself doesn't merit that kind of pay. If we are doing one minute taker, I thought the idea was to carry it over. My other question is in reference to the 6 hours per meeting. Does it take into consideration any of the hours it takes to transcribe the minutes or is the six hours flat.

J. Hoch states that's the time to attend and prepare the minutes.

M. Curran asks what if the meeting goes over 6 hours.

J. Hoch states we have to average with the usual rule of thumb being one hour of work per hour of meeting.

M. Curran replies so this isn't an actual assumption of what we're actually paying.

J. Hoch states I have to make my best assumption looking ahead and the assumption for the minute process is approximately six hours per meeting.

M. Curran states my concern is most meetings are 4-6 hours on average. So my question again is this is how much time to take the notes and prepare the meeting.

J. Hoch replies yes that's what the intent is.

M. Curran asks and your answer about the amount is.

J. Hoch replies if we go to a third party taker yes, if we go to a staff minute taker, I run into labor law issues with an employee working over 40 hrs per week.

D. Poliquin states that's a separate position.

J. Hoch replies it's still a clerical position and if they work over 40 hours in clerical position, I have hard time distinguishing between the two with respect to labor laws.

If it's the preference of the board to move everyone to the stipend rate, we'll take that up and see where it leads us.

M. Curran states my concern is this figure does not accurately account for the time it takes or the amount of time we actually pay someone to do it. This number is relatively low to me.

J. Sherman states why would it seem low, the meetings are approximately 3 hours.

M. Curran replies that's on a good night. It depends it just an average.

J. Hoch states yes, I guess as an average, you might pick up a little bit of that to make the average work because if you have a month without a meeting here or there it will smooth out. It's my best guess.

- Motion by J. Sherman and second by C. Blinn to approve the Planning Budget for \$74,583.

Discussion:

J. Sherman asks is there anything we can do to keep legal fees down. If it's truly the cost, then there is nothing we can do.

D. Poliquin states each year we have new issues next year is elderly housing. In general the RSA's have become more complicated and harder to interpret. It becomes harder to resolve issues. Whether it needs to continue at \$12k I'm not sure. We might be able to reduce it in the future, as 125 gets built up and there's less room for development there will be fewer applications before the board. It's not necessarily on an increasing path. I think we just need to look at it year to year.

J. Sherman states I think we are seeing more difficult properties now trying to be developed that weren't in the past that would bring up more legal issues.

L. Komornick replies yes we had a condo on Newton Rd and because we followed the attorneys advise they were looking to bring a case against the town but it became a civil suit. Since I've been here this board has never been sued so I think you are better off to invest your money with good legal advice right from the start.

J. Sherman states I agree that the expense is pretty high but having someone with the experience and day to day knowledge might cut back on potential legal issues.

M. Curran states we agree but the concern is, if you take out the current person with all their expertise, then having to backfill that position becomes an issue.

Vote 4-0-0

Zoning

The Zoning Budget is attached.

Additional discussion on the following items:

J. Hoch states the revenue sheet for zoning applications fees budgeted at \$4k. This is a more accurate account than last year.

- Motion by J. Sherman and second by C. Blinn to approve the Zoning Budget for \$87,995.

Vote: 4-0-0

Building Inspection

The Building inspection budget is attached.

Additional discussion on the following items:

J. Hoch states training budget reduced to \$2,155 part of that is because the Eastern States Conf is bi-annual. We have added a provision for the NHBOA conference because it will depend on where meeting is held. Books and periodicals reduced by \$700 because the ICC codebooks only need to replacement every couple years. Gasoline remains unchanged, budgeted for gallons only and later in the year we will establish price per gallon. Equipment purchase has a new item, telephone headset at \$200 for inspection secretary, one of the ergonomic recommendations. Consulting electrical increased to \$7k and would expect to see those revenues coming in before we pay them out. On revenue sheet, just to give a comparison, segment called building permits, beneath that are the detail items, for building permits and we expect to see approximately \$48k; other notable changes are electrical permits at \$4,600; inspections at \$7k; mechanical permits \$3,600; mechanical inspections \$3k; plumbing permits \$2,600; plumbing inspections \$2k; occupancy permits \$3,100; sign permits at \$16k; admin fees \$250; salvage yard \$300; septic permits \$3k and well permits \$200. Feel good about 08 numbers. Because of tremendous slowing in building market, it's difficult to predict future trends. We used to use prior numbers to help estimate but we need to restart our approach. I think the 08 numbers look to be closer to a true estimate unless there is a huge market surge.

J. Sherman states the plumbing line should be listed as plumbing and mechanical and requests description change.

- Motion by J. Sherman and second by D. Poliquin to approve the Building Inspection Budget for \$107,449.

Discussion:

J. Sherman asks the condition of the vehicle.

M. Dorman replies it's in good shape. Spoke with Regan Ford couple weeks ago because light came on so that was one of our unwarranted repairs of \$150. Otherwise it's running fine.

Vote 4-0-0

Conservation Commission

Conservation commission report attached.

Additional discussion on the following items:

J. Hoch states the conservation commission budget is the same as last year except in the area of general supplies, which has been reduced by \$500.

M. Curran asks are they just not using as much.

J. Hoch replies yes they had been budgeting more color graphics but no longer require them.

J. Sherman asks have they really spent zero money?

J. Hoch replies nothing has come through yet. Water testing items we will see later in the year. It's not unusual to see those figures closer to the end of the year.

- Motion by J. Sherman and second by D. Poliquin to approve Conservation Budget for \$4,800.

Vote 3-0-1 M. Curran abstained

Capital improvement plan

Proposed capital projects report attached.

Additional discussion on the following items:

M. Curran asks doesn't this usually get approved by the Planning Board first.

J. Hoch replies yes, it's going to be but we were in process here. Asks if there is a date slated.

T. Moore states in a nutshell this is the CIP budget. Accompanying this spread sheet is a fairly detailed document which has descriptions, historical data, population data some fiscal analysis of budgets and comparisons. That document has not been updated for a few years so we are going through it this year to make sure it is up to date and structured in a way that it will be easier to keep it updated annually. We are trying to prevent this backlog of updates in the future. Bottom line is we are not finished with all updates, but they are important to have. What the planning board needs to approve is the text plus the spreadsheet. As far as helping plan the budgetary process the spreadsheet has all the numbers. We wanted to make sure that got presented because we knew it had value and we wanted to make sure it's presented while it still has true numbers.

J. Hoch states I believe this is a huge undertaking and there is a lot of data in need of updating. Our committee has been reviewing that document as well as this paper. We left the last meeting with the committee's comfort level being that this table reflected where they wanted to go forward on it. One of the segments that intimately is going to be incorporated into the document is sort of a quick project narrative so we have some information. Not sure of your preference tonight on this and obviously there are some items here that if we don't talk about them in a budget sense, we will talk about them in an article sense.

M. Curran asks are we speaking about the upcoming year for the proposed article items.

J. Hoch replies yes or in some cases will be within an individual dept budget. For instance the highway dept, drainage and surface mgt projects are being incorporated into budgets. We had that advisory question this year regarding the operating budget. If you flip back to page 4. police dept, we had conversation about cruiser replacement, additional cruiser being put into the operating budget. I'm amendable to anything. We can have a superficial discussion or we can make it a robust conversation.

J. Sherman states I'm quite familiar with the information so I will defer to others.

M. Curran states we can go over some of the highlighted items this evening or we can wait until they are presented as articles.

C. Blinn requests review.

J. Hoch states that completes budget for tonight will move to my reports.

Reports

J. Hoch states received letter from library of trustees, due to the resignation of Karen Poznick and Tom Mullings they now have two vacancies. The trustees recommend that Kate Vavra and Janet Davies be appointed as trustees for the remaining term and that Elizabeth and George be appointed as an alternate trustee.

- Motion by J. Sherman and second by D. Poliquin to appoint Kate and Janet to the board of Library Trustees.

Discussion:

J. Sherman requests a thank you to Karen and Tom for all their efforts.

Vote 4-0-0

Town Manager's Report

The town managers report is attached.

Additional discussion on the following items:

Correspondence:

J. Hoch states that Jan Penta passed along information today that there will be one more vacancy on the budget committee. Ernest Sheltry has resigned.

M. Curran states please be sure we send a thank you letter. He is an incredibly hard worker and such a pleasant person.

J. Hoch states in your folders are two 11x7 plans, we are not revealing them now, they are for next Wednesday's meeting on the Rite-Aid site. States we've received notice from LGC that this year's town report is the 1st place winner in the 7501+ population category.

J. Sherman asks will we have someone there to accept the award.

J. Hoch states I will be there as well as Nikki and Buzzy. States DOT has reviewed preliminary plans for Garden Road Bridge and authorized the town to proceed with final design. There is a technical step not mentioned, we need to apply to DTS for a letter of permit, which I will get out. States I'm still waiting to hear from DRA regarding setting a date for tax rate setting. Hopefully, I'll know something on Monday.

D. Poliquin asks is there a way we can get tax bills out significantly sooner in the fall. I received a tax bill two weeks ago from a surrounding town and it might help alleviate our problem.

J. Hoch states it is feasible, we can send as early as we want but the due date is the same. This tax bill is largely contingent upon when we get the tax rate. My hope is that one of these years the external factors we rely on will fall in place. Remember last year we went into it knowing that we were going to be a week or two late because of all the paperwork being filed with the state in Sept. Actually, it was this time last year we were in the same boat. This year the largest delay is the auditor with one of the forms that gets filed with the state, which is the court of actual expenditures from the previous year. They have been chasing a \$20k issue, because their numbers are different than what Laurie shows. I spoke with them last week and explained I understand there is a \$20k difference but we need to move forward. If it all comes together you could get your bill earlier.

D. Poliquin states the other towns must have had their paperwork prior to September.

J. Hoch not necessarily, I know our paperwork that went into DRA, they started looking at it pretty quickly because what we send in for budgets and property reports, their reviewers were checking the following week. So it wouldn't surprise me if other towns got their tax bills out that quick because once we receive them we could turn ours around in about a week.

D. Poliquin states so it's basically outside sources that effect when the tax bill can go out.

J. Hoch states yes unfortunately that's been the issue for the past two years. Which again leads to the previous conversation of we don't have the fund balance cushion to absorb the extra weeks. The treasurer and I look every week at where we are. We're going to postpone as long as we can but the best possible case, there certainly isn't going to be \$750k for December 1st. What we also know now is what our payment pattern is so we have a pretty good feel as to what our cash flow is. So if we are able to get them out and they have a Dec due date, then we should have our road money in public account.

J. Sherman asks when will the tax rate be set.

J. Hoch replies I'm hoping within the next two weeks. Auditors said they will send the RS5 this week and as far as I know that's all that's missing.

C. Blinn states the county tax, that's for the year. I noticed it's gone up. What do we get from the county. What do they do for us for \$900k.

J. Hoch replies generally they are providing shared services, nursing home services. They send us big aluminous numbers that we skim through.

C. Blinn states I'm wondering why each town would be different, is it based on population and usage?

J. Hoch replies no it's not a user service percentage. I'm pretty sure it's just based on equalized evaluation.

C. Blinn states we might not use that amount but it's a gathering of everyone's money and they use it to offset the county nursing homes hospitals etc. Again how can they get up to that amount of money without accounting for the services they provide. It isn't clear to me so I would like to see an itemization.

J. Hoch replies I'll pool some of what we have for county budgets. I know in the nursing home piece is a concern.

M. Curran states back to the issue of the shortage are you asking permission to get the paperwork started.

J. Hoch replies I'm bringing it to your attention this week; next week I'll have the paperwork for official authorization. Last year we were authorized for up to \$2.5 mil. I think we drew down 1 mil. This year I anticipate less than that. We have a pretty good sense of the trends are this year.

C. Blinn asks what about the bi-annual, that was set up so this wouldn't happen but now it is.

M. Curran states every year when someone makes a motion for a no cost warrant article, it costs us money and we are expending more than we are taking in. We use money to offset taxes as well.

J. Hoch states yes you never had to worry before because you had a decent balance and decent revenue but now there's less from surplus and then you spend more down. But the tighter the budgets are the less surplus that's available. We're at the point now where there's enough to cover cash flow but even if we are a little below it makes sense not to increase taxes.

J. Hoch states work complete on Duston/Stamwood for this season except for paving patches – should be done either Friday or Monday.

M. Curran states my experience has been excellent. Nice group of men who have done a great job. Seen them out there speaking with people and work has happened very quickly.

J. Hoch states have 500 letters to go out as a request for inspections of properties that the assessor hasn't be able to contact yet. Looking to set up appointments between Nov 14th and 21st. Advised to call and set up appointment. FYI reminder that anyone that is coming out from the assessor's office, vehicle is marked; he has an ID and if you have any questions please call. There are people that are posing but are not official assessors so please call if you have any questions.

Planning

Planning board report attached.

Additional discussion on the following items:

M. Curran states a letter will be going out from the planning board to all applicants telling them that we will hear their plans in the order in which we received them.

Other

J. Hoch states tonnage report from Waste Management in your folders for this year as well as previous.

D. Poliquin states recycling has stayed the same for the last two years but tonnage has gone down.

M. Curran states with the new recycling committee getting up and finding ways to encourage our people it should pick up.

J. Hoch states actually I'm getting together with Joe from Waste Management to kick around ideas that he sees in other communities.

New Business and Correspondence:

M. Curran asks is there any word on Old County Road. Still haven't received auditing report.

J. Hoch replies no, but I'll check and see.

D. Poliquin states the ZBA was to hear Birch Street. Any update on that.

J. Hoch states no, the applicants on Birch Street asked for a continuance.

Old Business:

J. Sherman requests update on courthouse?

J. Hoch states I have spoken with administrative services and they are reviewing it. Unless someone has a burning interest I have it scheduled to review in late Nov early Dec since nothing requires immediate action.

C. Blinn states there have been a lot of improvements to route 125 but they seem to have left off the numbering system. I constantly go down there and can't help but think you don't know where anything is because it's not numbered. We went through major improvement labeling when 911 came in. This numbering system should be a part of that project as well.

D. Poliquin state I know towns like Salem, it's part of their ordinances that the address be part of the sign.

M. Curran states remember it would be a grandfather situation.

D. Poliquin states I can't believe that a 911 situation would not supersede a grandfather clause.

C. Blinn replies what Salem did was when they wrote the ordinance and it was approved was they stated that any change warrants the sign be changed to contain the street number. It would enhance their businesses so it's a win/win but it's just not being done. You assume the police or firemen know where to go but it may not be true.

M. Curran asks Jason can you run that question by the chief then again.

J. Hoch states yes and I remember we did something this past spring so I'll check into it.

M. Curran states we can have a change of ordinance

D. Poliquin states they are limited to square footage so there may be an issue with space.

C. Blinn states I remember what a huge project it was and how important it was that the residents list their street.

J. Sherman asks if it's not a grandfather for residents then why is it grandfather for business.

J. Hoch replies you might hit a snag on commercial signs that are limited to certain amount of space.

C. Blinn responds it doesn't need to be the name of the road but just the numbering.

M. Curran request Jason please get back to us on this

J. Sherman states going back to auditor do you have a paper trail on the \$20k discrepancy.

J. Hoch states I have some emails over time.

J. Sherman states I would think you would want to because this is costing the town money. It's a good idea to have a paper trail to track the discussions surrounding the cause and delays it has cost the town. States potential for early primary would need to be paid for this year and that would impact our budget.

J. Hoch replies yes, if it is, we'll find the dollars to do it. When we looked at the election budget, the numbers are there and they are probably not going to break the bank, let's just hope it doesn't snow. Right now we are probably looking at Jan 10th.

M. Curran states if it goes into Dec, we will push it off to Jan and it's in next year's budget, which we have budgeted for.

J. Sherman states I suggest we review our goals at some future meeting. Certainly before we get into warrant articles

M. Curran states toddler trick or treat tomorrow starting at 10am. Wed even trick or treat 5-7pm.

C. Blinn states I know Haverhill had there's and I happen to be there. I thought about the parents and less problems they had being with their children vs. our day. Not sure if we have ever thought about changing to Saturday as well. I think the parents have more opportunity to be with the kids and enjoy it on a Saturday. They aren't rushing home and kids aren't missing out because they are at work.

M. Curran replies maybe we can discuss with police chief to see why we don't change to Saturday.

Selectmen report

J. Sherman states Budget Committee had meeting last week. Nice to have full contingent of committee members. Last Friday night was the pumpkin lighting, good turnout with treats and lots of fun. Participation from Pollard PTA as well.

C. Blinn states no conservation. Cutting the ribbon on Friday.

D. Poliquin states at pumpkin ceremony –great time had by all with very interesting pumpkins and lots of fun. Meeting with family mediation, annual budget meeting, disbursed amongst the board. Any questions let me know. Significant increase in fundraising net profit line up due to the Texas hold-um nights. Only two nights deleted that we won't have next year. Other than that you can see from chart of services, we definitely receive our \$10k worth services that we give them.

ADJOURNEMENT: 8:15pm

Respectfully submitted by,
Karen Iacozzi
Recording Secretary