



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

SELECTMEN MEETING MINUTES

DATE: July 9, 2007

CALL TO ORDER: 6:30 pm

PRESENT: Michelle Curran, *Chairman*; Lawrence W. Gil, *Vice Chairman*; Daniel J. Poliquin; John Sherman, Jason Hoch

Excused: Charles Blinn, Jr.

PLEDGE OF ALLEGIANCE

MINUTES:

► *Motion by M. Curran; Second by L. Gil to approve the minutes with changes of June 25, 2007.*

VOTE: 4-0-0

PUBLIC COMMENT:

Michael Kinyon, President of the Condo Association at Twin Ridge Condominium requests individual abatements for each unit holder due to no town plowing or trash pickup. States that the Condo Association is responsible now for those things and would like the Town to be responsible if the property assessment and taxes on their properties are going to be so high.

M. Curran asks if the property is a private or public road.

J. Hoch states he will look into it.

M. Curran instructs Mr. Kinyon to speak to the Town Manager concerning this issue. States there are procedures to follow in the case of an abatement. Informs the taxpayers that if he does not receive a satisfactory response, he may come back to the Board of Selectmen for further review of the issue.

L. Gil states that he assumed the Town was responsible for the plowing and trash removal for Twin Ridge. Asks if there is a dumpster there.

J. Hoch states again he will review it.

Public Hearing Open: 6:35 pm

Donation of \$3,630 for 2nd year motorcycle lease

J. Hoch states we received a check from Al Hoyt and Sons. Agreement was they would pay for 3 years of the lease.

J. Sherman asks if it has been successful.

D. Poliquin states he recalls that a list of everyone who is donating was suppose to be written on a list and given to the Board of Selectmen.

M. Curran states this is from the same donor as previously noted.

J. Hoch states he will review it.

► Motion by J. Sherman; Second by D. Poliquin to approve the donation of \$3,650 for second year motorcycle lease.

Vote: 4-0-0

Dog Ordinance

J. Hoch states a Chapter 17 amendment and three proposals being:

- 1.) Proposal A: Retain the language, as is, with no changes which would mean leashing dogs during Recreation events and subject them to a fine if not adhered to.
- 2.) Proposal B : Prohibiting Dogs during all Recreation Events

J. Hoch states the main issue is leashed and prohibited or should it be changed to dogs and all pets. States the third nature of the question is if the prohibition is chosen, what will be the level of the fine structure.

M. Curran states she noticed dogs without leashes on the Town green on Old Home Day and no enforcement taking place. States she would be in favor of leash law.

J. Sherman asks for suggestions from D. Sargeant, Animal Control Officer.

D. Sargeant states that any of these ordinances would would exclude working dogs (canine unit) and dogs used for the blind or handicapped.

D. Sargent states he feels that we should follow the Ordinance of picking up after a dog has defacated. If the owner does not pick up after the dog, there should be a fine. If the leash law is put into effect, it cannot be more than six feet off a run and there must be diligency in enforcing it. States he will support whatever Board of Selectmen decide.

D. Poliquin asks D. Sargeant if dogs running at will and without a leash has been a problem.

D. Sargeant states it has been at Timberlane Middle School and High School ball fields and that signs are now posted at both schools that dogs are not allowed.

D. Poliquin asks if there has been the same issue at any public events in Plaistow.

D. Sargeant states the schools are the only problem he knows of.

J. Sherman asks if the problem stopped after the postings.

D. Sargeant responds with yes it has stopped.

M. Curran states the options J. Hoch has brought before the Board of Selectmen.

J. Sherman asks if there is any lawsuit risk if no response to this issue is decided upon.

J. Hoch states there is not. States that Plaistow is not the only town debating this.

L. Gil asks about Proposal A and there is no event at Smith Field, would the dog be able to run free.

J. Hoch states that yes the dog would be free to run.

L. Gil asks D. Sargeant how that would work and if it creates an issue if the dog now goes outside the sight of its owner.

D. Sargeant states that yes it does create an issue due to the fact that the owner may call the dog back and the dog does not obey.

D. Poliquin states that the towns people need a place where they can exercise and run their dogs and is in favor of Proposal A. States that any animal brought out into public should be on a leash.

► Motion by J. Sherman to accept Proposal A as suggested by the Town Manager with the language being changed from dog to any common domesticated animal;
Second by L. Gil

Vote: 4-0-0

D. Poliquin states D. Sargeant made a valid point about addressing dogs running at large.

M. Curran states she would like to see a dog park as being an option and asks D. Sargeant to possibly address that in the future.

Public Hearing Closed: 7:00 pm

M. Curran invites Nancy Ducette from Fancy Nancy's to speak about choices for draperies and fabric for Great Hall.

M. Curran states she spoke with the Fire Chief concerning options with fire retardant fabric. Stated Chief McArdle had no issues with using fire retardant spray and that it is a product that is readily available.

M. Curran asks J. Hoch to review Town Manager's Report on the Animal Control Officer while Nancy Ducette sets up displays.

J. Hoch states a Copy of letter of thanks regarding Dave Sargent's work to get a cat out of tree. Dave Sargent received a tip from the ACO in Newton about an organization in Pa. that is making animal chip scanners available for free. A scanner is en route to the department now (market value is between \$400 and \$500. Our scanner has been acting up. This scanner reads chips that are implanted in the necks of animals for identification. The tool is required by the state for ACOs,

J. Sherman states he would like to thank D. Sargeant again for all of his work.

M. Curran introduces Nancy and Dennis Ducette from Fancy Nancy's.

N. Ducette displays 3 curtain choices to Board of Selectmen. States curtains would be going to window sill not to the floor and that the curtain choices were chosen after investigating what were curtain choices back in the 1800's. States that the choices she brought in all reflect that time frame.

M. Curran states the Board of Selectmen would like to tone down the colors and brought in paint samples that stay within what the Town Hall Renovation Committee chose but toned down.

M. Curran asks Nancy Ducette what her choice would be for curtains for the Great Hall.

Nancy Ducette states she would chose curtain option number three.

J. Sherman asks N. Ducette what she would chose for carpeting.

N. Ducette states she would chose something lighter for carpeting but she can look into options if the Board of Selectmen would like her to.

L. Gil asks with a room the size of the Great Hall would more vibrant colors be a better choice.

N. Ducette states if the walls were lighter yes, but with darker walls more vibrant would not be a better option.

M. Curran states she would recommend the original wood being brought back with richer color curtains.

J. Sherman asks M. Curran what her recommendation would be concerning the walls and the curtains.

M. Curran states she would like to have the Great Hall go back to natural wood on the lower half of the walls, a lighter color paint on the top half of the walls and golden/brown or sage curtains.

D. Ducette states that if the choice is to go back to natural wood the doors also have to be stripped.

J. Hoch states that stripping the walls were not considered an option because of the amount of work it would entail. States they are sifting through testing to see if there is any lead paint and if there is, stripping the walls will not take place.

J. Sherman states he agrees with the recommendation of the colors that were discussed. Asked if a price had been discussed and where that would put them in terms of the budget.

J. Hoch states it was originally budgeted under \$4000 and it would stay under that.

D. Poliquin states another good issue that was raised was about where the curtain would be placed in terms of the glass along the top windows.

M. Curran states she would like to see them go under the glass window.

M. Curran states that she recommends Velcro be used for the curtains so they can be removed easily for cleaning and re-installation.

M. Curran asks for a decision from the Board of Selectmen on the color of the walls.

D. Poliquin asks if it financially feasible to strip the wood.

J. Hoch states that it is feasible.

J. Sherman states it looks like a lot of work.

J. Hoch states that the option may be taken away if lead is found so that needs to be the first thing done before that decision is made.

D. Poliquin states after reviewing the natural wood, it looks as if repairs are going to be needed to holes in the wall if the choice is to bring it back to the natural wood color.

M. Curran states the direction to go is with the natural wood and looking into how much it would cost to put new wainscoting around the bottom.

M. Curran recommends to keep the walls the color they are with the trim being sage green. The lower half of the wall would be brought back to its natural wood color and begin pricing out new wainscoting along the bottom of the wall.

J. Sherman asks if another option needs to be discussed if there is found to be lead paint and the walls cannot be stripped.

J. Hoch states that would be a good idea.

M. Curran states her recommendation would be to bring the walls to a golden color if the natural wood does not work.

J. Sherman asks what is being done for carpet.

M. Curran states the recommendation is to go with the lighter color carpet.

J. Sherman states that the Town Manager can proceed with the decision in regards to carpeting, paint, and curtains.

► Motion by J. Sherman; Second by D. Poliquin to allow Town Manager to proceed with decisions concerning Carpeting, Paint, and Curtains.

Vote: 4-0-0

Town Managers Report:

Correspondence

Letter from DES regarding Restoration Plan approval for wetlands at 9 Birch Street. D. Garlington and J. Hoch have also been working with property owners regarding water & runoff issues (the property is at the bottom of the hill and curve on Birch Street). Some of the recent reclamation work for the road should assist in better channeling some water into catch basins. Letter from counsel for Greenfield Hill Estates Homeowners' Association in support of our administrative appeal to the ZBA.

J. Sherman asks if there is a cost associated with this or is it in house..

J. Hoch states it will most likely be in house.

J. Sherman asks if the Town Manager is going to respond to their concerns.

J. Hoch states that he will

Sumner has filed Petition for Payment in Silva case.

Annual Bridge Inspection Report from NHDOT. Garden Road Bridge still on red list.

J. Sherman asks if there is any suggestion of delaying the project.

J. Hoch states no. There are specs to get it bid ready.

Copy of DRA's draft review of assessment practices for 2006. All items were in compliance and no recommended actions by DRA

J. Hoch states he asked L. Komornick to follow-up with her counterpart in Haverhill regarding traffic light @ Cushing to find out possible timing as well as if there is a way that we can helpfully encourage it.

J. Hoch and L. Komornick are meeting with Planning staff in Haverhill on July 9.

There were only 4 members of the ZBA present tonight for the appeal of the administrative decision. We are allowed to ask for a continuance when 5 members are not present (regardless of the number present, 3 affirmative votes are needed to approve a decision). J. Hoch states M. Curran and he decided to ask for the continuance until the August 26th meeting. States they would like guidance as to how the Board of Selectmen would like to proceed if there is not a full 5 member board in August.

J. Sherman asks if there is a time issue.

M. Curran states no there is not.

J. Sherman states he does not see an issue with waiting until there are five members present. States he believes it is an important issue and would like to see all ZBA members there to meet on it.

J. Hoch states he and L. Komornick met with an engineer working on a preliminary plan for Chart property as a contractor yard. States they are aiming for a preliminary hearing with the Planning Board at the first meeting in August. Right now plan shows using about 1/3 of the building for equipment repair/storage with some on site storage of equipment and building materials.

D. Poliquin asks if there are any debris issues.

J. Hoch states not that he can see.

J. Sherman asks if there is a sale pending.

J. Hoch states no.

Fire

Fire Department will be doing MDA drive weekends of July 21/22 and August 25/26. Of the 24 towns participating, Plaistow ranked #4 last year in total money raised.

Police

Copy of letter of thanks regarding Dave Sargent's work to get a cat out of tree.

Dave Sargent received a tip from the ACO in Newton about an organization in Pa. that is making animal chip scanners available for free. A scanner is en route to the department now (market value is between \$400 and \$500. Our scanner has been acting up. This scanner reads chips that are implanted in the necks of animals for identification. The tool is required by the state for ACOs,

Highway

D. Garlington passes along that Wednesday evening landfill hours at the landfill have been successful in terms of number of people coming and satisfaction with having an alternative to weekends only.

FEMA sent two representatives to work with D. Garlington and J. Hoch on reimbursements for spring storm. Unlike previous experiences, where we've filed paperwork directly, they came out, reviewed our information, looked in the field and completed all of the paperwork. The result is a reimbursement of \$6011 for work in Auburn Street/Lower Road area and prepayment of \$2750 for replacing a failing culvert on Smith Corner Road. We have 18 months from the declaration date (April 15) to complete the Smith Corner work. When reimbursement is approved, J. Hoch states he will be back for acceptance to credit expenses for highway department and to set up separate account for Smith Corner culvert work.

J. Sherman asks if the Town Manager believes this was a good way of doing things.

J. Hoch states that as a Town Manager, he did think it was reasonable.

Town Hall

Reworked paint colors are on wall in Great Hall. In addition, Dave is looking at the feasibility of striping wainscoting back to original wood finish. It appears possible - Dennise is helping to look into lead paint testing before we embark on that option.

Human Services

Nikki has provided revised welfare guidelines for approval. Her cover memo notes that the change would be that landlords will only be paid if the property is compliant with the Town's Zoning Ordinance including possession of a valid certificate of occupancy for the apartment.

D. Poliquin asks when tenants were required to obtain occupancy permits. States he is not sure why they would need that and he believes it is no longer required.

J. Hoch states he will review it.

J. Sherman states the intention of the cover letter is right but the content should be changed to be more generic than specific.

Other

Donations policy to be discussed at next meeting - please advise if you have any comments

M. Curran asks about the \$5000 to \$500 donation policy mark that the Board of Selectmen would be responsible for reviewing.

J. Hoch states that the \$5000 mark comes from state requirements.

► Motion by D. Poliquin; Second by L. Gil to accept the donations policy as it was written on June 25, 2007.

J. Hoch states he would like to see the policy reviewed in a year to see how well it has worked. States the Board of Selectmen can revisit it next year and decide if it worked for the Town.

M. Curran states that people have gone out and solicited and it perceived as they are obligated to give from that point on.

J. Sherman asks what in this motion will force that to stop.

J. Hoch states the report he will give them show what the donations are and who they are from.

M. Curran states there is no policy about donations and this will guide what is allowable and not allowable.

J. Sherman expresses his concern. States he will be voting against it because he feels it will inhibit people from donating.

Vote: 3-1-0

Assessing RFP to be discussed at next meeting. Copy sent to DRA for advice. Response was that it looked OK to them. New state budget has state property tax at \$2.24 (Last year's state rate was \$2.52).

J. Sherman suggest that there is training of personnel staff which was noted in the June 22, 2007 draft. States all recommendations of Assessing Department should be given to the Board of Selectmen in writing with attached documentation and justification.

J. Sherman states we have an assessment procedure that is published in the Town Report and would like that notation made.

J. Hoch states that may be more of a contract issue.

D. Poliquin states he would like to see someone from the Assessing Firm in the office to answer questions from Taxpayers at least one day a week.

J. Hoch states there is someone available at least once a week.

D. Poliquin states there are complaints coming to him from taxpayers that someone from the Firm is not available to answer questions on a regular basis.

M. Curran asks if the Assessing Clerk is capable of answering taxpayers questions. States the Assessing Clerk has taken some classes.

J. Hoch states the Assessing clerk has taken State Statutes course and some questions can be answered. States that some of those questions are outside her jurisdiction to answer and should only be answered by someone from the Assessing firm,

► Motion by D. Poliquin to accept RFP proposal with changes by J. Sherman ;
Second by J. Sherman

Proposed dog ordinance changes memo in your folders. I will schedule public hearing for July 9th. Note that I added penalty language (copied from penalties for not cleaning up). I would appreciate any comments, suggestions, changes you may have. Any interest in expanding the scope beyond dogs to all animals?

Notice from Primex regarding right to know law training July 24th.

Another Grant Authorization form for me to sign grant agreements. DES seems to have a new policy of requiring original signatures for household hazardous waste grants. Board of Selectmen approved this authority earlier this year. (In this specific case -- grant for fall 07 and spring 08 household hazardous waste in the amount of \$5458.19

Draft Credit Card Policy. LGC recommendations about credit card policies for background. J. Hoch would like to have a clearer policy in place and be comfortable extending this to more employees. Currently, we have a hodge podge with employees having some store credit, but no general credit. I haven't gotten around to getting a card issued in my name and figured it was a good time to review policy before doing so.

M. Curran asks if there is supply and demand.

J. Hoch states that more department heads are buying things online and would prefer not to have them chasing down one person for a credit card especially when dealing with vendors.

L. Gil asks how many cards are to be issued and how many are out there.

J. Hoch states there would be a need for approximately 50 cards.

J. Sherman states he believes it would be a good idea for Department Heads to have access to the cards but that a policy needs to be in place. States changes to this policy are as follows: Second page, near top finish sentence and bulletize the four points. Asks who approving official would be.

J. Hoch states the Town Manager or Department head would be considered the approving official.

M. Curran states she also believes the Board of Selectmen fall under the category of approving official because they will need to review the items that come before them.

J. Sherman asks who will be doing the audits.

J. Hoch states it would be someone higher up.

J. Sherman suggests it should be called the Credit Card Program.

M. Curran states it would be best for everyone to review it and come back in a few weeks to discuss it.

L. Gil asks how this would work with bids.

J. Hoch states it does not supercede the policy that is already in place.

J. Hoch states he wrote a fund draft policy to try to formalize the target amount they were looking for and that the DRA recommends.

J. Hoch states it is necessary to have a policy statement from the Board of Selectmen on how they want to control the fund balance.

J. Sherman asks about establishing a target higher than what the DRA recommends. States that it has been an issue that it should have been spent down.

J. Hoch states that it is within GFOA levels. Does not believe 10% is realistic in spite of what the DRA recommends.

L. Gil states that the idea of having it within target and it being not binding is a goal. Trying to balance things over the long haul so you are in the best position to manage the affairs of the Town.

As of the close of day 7/3, 91% of tax revenues had been collected (\$8,292,145.53)

From this week's Legislative Bulletin -- on Monday, Governor Lynch vetoed HB 143 which would have extended the apportionment of damages in personal injury cases and SB 88 which would have reduced the number of employees need to form a bargaining unit was laid on the table effectively

5-Jul killing the bill for this year.

Message from James Chow @ EPA. DES will be doing water quality sampling in Beede area next week (10th). Eventually, this is a task that will be transferred to the PRPs from DES. Staff from

5-Jul Woodard and Curran (the PRPs' engineer) will be present for this round of testing.

Selectmen's Report:

J. Sherman states he was present at Old Home Day and participated in an event. Thought the entire day went very well and extends his congratulations to the Old Home Day Committee and Brian Levasseur. States he thought the fireworks were very good.

J. Sherman states the Recreation Commission will not be meeting in July and the next meeting will be August 5th.

J. Sherman states Plaistow has the lowest amount of debt in comparison to all other New Hampshire towns and believes the CIP plan is working and will keep things at a reasonable debt level. States that the debt will not disappear but the Town is minimizing how often it needs to borrow money.

L. Gil states he was on vacation. No report.

D. Poliquin states that he was also in attendance at Old Home Day and considered it enjoyable. States his appreciation and congratulations to the Old Home Day Committee.

D. Poliquin states he attended the SENHMMAD (Hazmat District) . Things that were looked at were recuping costs for companies held responsible for the incident. States additional dues would cover administrative costs.

M. Curran states that she was impressed with Old Home Day and thanks Brian for Chairing for the last two years. States she had no meetings to attend due to being on vacation.

M. Curran states there is no Planning Board meeting this week due to vacations.

J. Sherman asks J. Hoch if any letters are being sent out to the Governor or any of the participants to thank them.

J. Hoch states that is being taken care of.

ADJOURNMENT:

M. Curran declares the meeting closed at
9:22 pm

Respectfully submitted,

Selwa Moured
Recording Secretary