



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

PLAISTOW BOARD OF SELECTMEN

MINUTES:

DATE: Monday, December 22, 2008

MEETING CALLED TO ORDER: 6:33 pm

SELECTMEN PRESENT:

Chairman, John Sherman
Vice Chairman, Daniel Poliquin - arrived 6:39 pm
Selectman, Lawrence Gil
Selectman, Robert Gray
Sean Fitzgerald – Town Manager

SELECTMEN ABSENT:

Selectman, Charles Blinn – Excused

MINUTES:

J. Sherman notes the review of the Minutes will be postponed until a later date.

AGENDA:

Coloring Contest Winners

J. Sherman introduces Carli Malette, Rec Director, who will be announcing the Coloring Contest Winning children's name along with Bob Gray, Selectman and Sean Fitzgerald, Town Manager who will be handing out prizes to winners.

The winners are as follows:

5 Year Old Division: 3rd Place is Ryan McClure, 2nd Place is Billy Savage, and 1st Place is Lily Stevens. 6 Year Old Division: 3rd Place is Brayden Moley, 2nd Place is Kile McPeon, and 1st Place is Mathew Lajoie. 7 Year Old Division: 3rd Place is Vaughn Bourassa, 2nd Place is Sarah Padellaro, and 1st Place is Ross Simon. 9 Year Old Division: 3rd Place is Georgia Groudas, 2nd Place is Alyssa Grant, and 1st Place is Kayla DeRevere. 10 Year Old & 11 Year Old Division: 3rd Place is Maddie Padallaro, 2nd Place is Tony Gentile and 1st Place is Jade Bourassa.

C. Malette thanks all participants and wishes everyone a Merry Christmas.

L. Gil thanks everyone, Staff, Highway Department, Police and Fire for all their work they did this weekend with the storm. He noted Sean and all Town members and their continuous work. He felt very good that he lived in this Town and noted it was a good feeling to see all these people put all this work into getting this Town up and running. He wishes all a Merry Christmas and a Happy New Year.

D. Poliquin arrives at 6:39 pm.

Update on Ice Storm “State of Emergency”

Bill Scully, Director of Emergency Management, approaches the podium to discuss the update of the ice storm and the State of Emergency.

B. Scully discusses that we still have homes without power. He discusses how dealing with Unitil has been a disaster. He discusses approximately 12 houses are currently without power and normally they would not notify Fire or Police. He discusses that Unitil was not reporting which residents have reported to them. He discusses Day 1 until Day 9. He discusses he did not have a person in Town from Unitil to work face to face with so he started with faxes. He discusses what the Press had released indicating their number was only 50 when we had a different higher number. He makes an example of Davis Park noting nothing wrong in Davis Park; however in the snow storm trucks were running around and basically getting nothing done. He notes he is afraid there are still people without power. He discusses Unitil telling people they have power when people called him indicating they did not have power. He notes that saying the Town is 100% up would not be accurate.

J. Sherman inquires as to what people should do if they are out of power right now.

B. Scully indicates that they should first call Unitil then call dispatch and they will fax information up to Unitil.

J. Sherman inquires if Bill gets a copy of this information.

B. Scully notes yes. He discusses streets and why they were not looked at. He discusses his conversations with people in Town, the discussion of projections from Unitil and he notes how they were not a trustworthy source. He notes he did not want to give false hope however Unitil told the Governor they would be up on the 6th Day which was not true. He notes in all fairness to Unitil some crews did not arrive when they were supposed to and they were overwhelmed.

J. Sherman inquires if Bill has accurate list.

B. Scully indicates he would not say accurate however he does not know who has not called Dispatch, who has only called Unitil directly, who has left town or who has shut their main power down. He discusses the Foreman that worked in Town yesterday is now in Fitchburg. He discusses that he never received what streets were out from Unitil throughout entire storm. He tried to get Unitil to give confirmation of the lists he had faxed to them but was unsuccessful. He has become an advocate for Unitil.

S. Fitzgerald notes that the last 10 days have been difficult on the Town and the folks working on the streets.

B. Scully notes that he has spent hundreds of hours trying to communicate this situation to Unitil. He discusses the big deficiency with Unitil and the eyeballing of streets that was done by the safety crew which were going up and down the streets to identify problems and he would fax that information to Unitil. He discussed residents in serious need, all the outages, the late event of comparing notes on outages and after action items. He notes that we will look to better deal with these items and discusses his email to Unitil, the no response and how they were overwhelmed. He discusses how the Emergency Management Center was opened at the Safety Complex at 3am on the 12th and notes the first contact was at 7am with Unitil.

J. Sherman inquires if the Governor is going to do something.

S. Fitzgerald discusses he has had valuable updates, noting a lot of information from Unitil, however not accurate. He discusses deployment and resources and the folks in from Nova Scotia and from Tennessee working in Town. He discusses how he could not get exactly what crews would be where in Town to help us but notes he was in contact with public utility contacts and anticipates having a broader conversation with utility companies.

J. Sherman discusses how Unitil's response was very inadequate and that we were not getting anything from Unitil. He notes how we could not alleviate concerns of Town people and that basic communication level failed. He notes we were in the dark, couldn't put it on cable, we did not have the reverse 911 and couldn't get it in the paper. He notes basic things were unable to help us tell the Town.

L. Gil notes as difficult as this has been his observation is that an opportunity has presented itself in the form of a learning opportunity to identify the weaknesses such as communications.

B. Scully discusses how he was dealing with the same people that he was dealing with 10 years ago and notes he could not get information back then and the same problem still existed today.

J. Sherman discusses the response by Town staff and the on call members of the Fire Department noting it was excellent, a lot of people were putting in a lot of hours. He discusses how people appreciated the help given by Chief McArdle and the rest of the Fire Department. He discussed how the Health Director was working a lot of hours with stores making sure the products on the shelves were safe and healthy. He discussed how the Highways Supervisor worked a lot of hours clearing branches. He notes his opinion is that the State needs to put pressure on Unitil.

PUBLIC COMMENT:

Tom Underwood of Squirrel Run Road approaches the podium. He discusses that he got power back Thursday night but was out for 7 days. He discusses how he contacted John Sherman because of his own frustrations regarding the power outage and not seeing a truck in Town until Tuesday. He discusses the state of the Town and not having a crew working in Town.

J. Sherman asks Bill if he can advise information on the number of crews in Town.

B. Scully notes 7 crews were in Town.

T. Underwood notes he listened to the radio and was not hearing positive items and was not seeing trucks until Day 5. He discusses his concerns regarding Unitil not standing up to their part however he understands the tough situation and the storm but inquires as to where Unitil is and their representatives tonight.

S. Fitzgerald notes Unitil was not able to be here tonight.

T. Underwood notes when they were here they did work very quickly however they were just not here quick enough. He discusses the Safety Complex being down until Wednesday and not having a generator.

J. Sherman asks Bill to speak on generator situation.

B. Scully discusses the generator leaking antifreeze, the pump house and the fire suppression and the call to the National Guard requesting a generator. He discusses the total time amount which was approximately 24 hours.

T. Underwood notes his concern is that Unitil is getting off scot free here. He discusses the amount of money that is paid for this utility along with rate increases and service.

R. Gray notes he needs to understand the relationship with the Town and how much is regulated and how much is private. He notes the pressure needs to be brought upon this company and notes the need for After Action. He discusses how he has not seen anything like this since the Blizzard of '78 and notes that they will have to go back and see what pressure can be brought upon them. He discusses Legislature action against Unitil.

D. Poliquin discusses how he happened to be at the Safety Complex during the Governor's conference call which was throughout the entire state and he notes that Police & Fire Chiefs, Town Managers and Town Administrators all said the same thing they had absolutely no response during this troubling time and inquired how they were going to address this issue.

T. Underwood discusses performance of Unitil and questions if Bill would normally get involved with something like a power outage.

B. Scully notes that when it is a Multi-System then yes Emergency Management would take over. He discusses a quote "7am - 100 major locations out and all 7 crews are out working". He notes they just don't have the number of staffing.

J. Sherman notes we will do what we can to improve locally.

R. Gray notes we need pressure from Legislature.

Public inquires as to how we do not have senior contacts at Unitil and why they cannot get a real person on the phone instead of a recording.

S. Fitzgerald notes that Bill was the primary contact with Unitil and we were putting pressure on them by faxing, emailing and calling, they were just unresponsive, it was life safety and the community needed to stay safe, however we got nothing back from Unitil until Day 9. He discusses urgency and resources that Unitil could not provide and how he is waiting to speak to Unitil to discuss this situation.

B. Scully notes we were talking with Unitil who was relying upon the paperwork being faxed directly to one individual, which by faxing made it to be a long drawn out affair, along with matching Unitil's list to our list.

J. Sherman inquires if Bill knows when the first truck from Unitil was in Town.

B. Scully notes no, they were not logging information at the beginning.

Lisa Withee of 109 Forrest Street approaches podium and discusses her calls to Unitil and discusses her phone call to Police Dispatch. She suggests as citizens they should be informed and notes she called the Governor and discusses communication being tough. She notes she called the Public Utility Department as well and discusses each conversation. She suggests to residents to call the Governor and the Public Utility Department and discusses the general response she has received. She notes there is no live body at Unitil to speak to and having a contact will ease the minds of residents.

S. Fitzgerald notes the great points made tonight and indicates they tried to implement these during the emergency. He discusses that this will help better define communication with regulatory agencies and discusses the pages created of After Action Items.

J. Sherman notes we don't have a good way to get you this type of information and suggests perhaps a page in the Town Report indicating this information would help.

Dan Travaglini of 5 Congressional Avenue approaches podium and inquires as to what the officials did for emergency meetings. He discusses the Atkinson situation and notes Unitil is to blame however he wants to know what our leadership did as officials.

B. Scully discusses when the first truck was in Town working the grid noting the 1st Day's information and the substation on Forrest Street. He discusses how much percentage was down in each town noting the worst town got more attention and initially Atkinson was higher than Plaistow then the numbers were corrected and updated. He discusses primaries that went down and the urgency of each call that Unitil received.

D. Travaglini discusses that there weren't a lot of trucks seen and discusses the Atkinson emergency meeting.

D. Poliquin discusses that we didn't have an official emergency meeting however we were all involved throughout the entire event. He notes Atkinson had 80% as opposed to our 50% outage and discusses Unitil not giving information.

Kevin Weidman of Kristie Lane approaches podium and discusses Unitil and the conversations he had with them and suggests to get information to Town by using reverse 411 like school did.

J. Sherman notes that this is on the After Action Item list.

B. Scully notes the disadvantage to this is the Grandparents are sometime listed. He notes he couldn't reach the young and the old population by doing this he could only reach K - 12. He notes his information came from Mike Dorman, Police Department and Fire Department who were out riding around in Town.

K. Weidman discusses trees on lines such as Sweet Hill and inquires as to who is responsible for this, the State or Unitil.

J. McArdle (Fire Chief) indicated they were told not to touch any line because they may be live.

T. Underwood discusses people going door to door with flyers regarding shelters and water for residents and suggests it should have been done in Plaistow.

S. Fitzgerald notes we did have people going door to door.

R. Gray notes he attended a meeting regarding such and they did do this.

J. Sherman inquires if we know how many crews were called in from out of town.

B. Scully notes Unitil said they had 50 trucks however their exact locations he is not aware of but indicates that New Brunswick and Tennessee trucks were here in Town.

S. Fitzgerald discusses the command center and the effective communications as well as strategies regarding communications.

J. Sherman thanks the Public for coming in.

R. Gray inquires preliminary estimate for disaster.

B. Scully notes approximately \$34,000.

S. Fitzgerald discusses with R. Gray and B. Scully this amount and FEMA.

B. Scully stated that the county has to meet a certain threshold in order for Town to be considered for FEMA assistance.

R. Gray asked B. Scully that if the county reaches this threshold to invite FEMA to the Town so residents can apply for assistance.

Review of 2009 Operating Budget

S. Fitzgerald discusses paperwork he had passed out to the Board members. He discusses Year to Date information along with Actuals. He notes several line items that are there that may not reach the target revenue. He discusses tax revenue received during the storm and amount spent out of the budget this year and the balance remaining. He discusses line items that have not been spent as well as expenditures that are not absolutely necessary.

J. Sherman inquires about revenues, 2nd line down, redemption sale.

S. Fitzgerald notes prior year taxes that were uncollected, not sure about, but will follow up.

J. Sherman inquires about motor vehicle revenues being down. He notes the current year to date revenue is through November and notes we have one more month, so if December comes in like other months have then it looks like we may collect that revenue.

S. Fitzgerald notes that he is anticipating that it will come close and it will be a challenge to **hit** that number.

J. Sherman inquires about the water suppression bills and asks if this is the billing we do for the use of water line.

S. Fitzgerald notes that he believes so but will check into this.

J. Sherman inquires about the water bills being sent out and discusses the prior bills.

S. Fitzgerald notes he can look into this.

J. Sherman notes the NH Room and Meal Tax comes in at the last minute and inquires if Sean is expecting it to come in.

S. Fitzgerald notes he is expecting a transfer to come in today or tomorrow.

J. Sherman inquires as to what Shared Revenue is.

S. Fitzgerald notes he will look into this and get back to the Board with this information.

L. Gil inquires about the last page of his handout which has Summer Rec Registrations and Community Trips and Outside Detail.

S. Fitzgerald notes this passes through but is not a funding.

J. Sherman inquires about Sale of Surplus and if that pertains to the highway truck or police vehicle.

S. Fitzgerald notes it is some asset to the Town, showing revenue and their receipt, some piece of equipment.

J. Sherman asks for Sean to check into the revenue from the truck sold last year and verify that it got recorded appropriately.

S. Fitzgerald agrees to look into.

R. Gray notes the earned interest on the bank deposits is off and it needs to reflect accurately what the interest is going to be next year.

J. Sherman notes that to him this is a tremendous down fall.

L. Gil notes if he does his math correctly then there is a shortfall of 3.8 million.

S. Fitzgerald notes it is going to be close he is concerned about it and is watching it. He discusses the FY09 Budget information that he has passed out to Board of Selectmen. He notes the previous adjustment made with the 53rd week, he summarized items in various line items and discusses his notes he has included to better help understand his handouts.

S. Fitzgerald discusses line items:

Executive Offices has changed due to the rate clarification and the 53rd week adjustment and he notes the dollar amount of the adjustment.

J. Sherman, R. Gray and S. Fitzgerald hold a discussion on figures and breakdown of various amounts listed under the columns on the spreadsheet.

J. Sherman and R. Gray question some numbers and figures in the columns.

S. Fitzgerald notes that he would like to go back and verify theses numbers.

L. Gil is in favor if this is what Sean wants and inquires if there is enough time for such.

J. Sherman notes there is a tight schedule but there are two more scheduled meetings, December 30th and January 6th then the Public Hearing. He notes there is time and the fallback would be that we present what we can at the Public Hearing and we still have time to make changes. He indicates the worst case scenario is we can make adjustments and present to the Deliberative Session. He notes the Law says the Board of Selectmen can meet directly after the Public Hearing as long as the intent is discussed at the Public Hearing then we can meet right after the Public Hearing to vote to make a change. He notes as long as the intent is discussed at the Public Hearing it can be adjusted. He notes that what he is hearing is that Sean wants to verify the numbers he has presented to make sure they are accurate.

Review of 2009 proposed Warrant Articles

S. Fitzgerald wants to discuss the updated Warrant Articles for the Tax Collector and the Public Safety Complex.

Public Safety Complex Capital Reserve

S. Fitzgerald notes he discussed with Police Chief all the work which has been done in prior years, different studies and architectural information. He notes that \$25,000 would be a better number to do preliminary design noting initially the Warrant Article was presented at \$50,000. At this point we have done a detailed feasibility and we need to find away to itemize the value of the project. He reads the Warrant Article wording, the Recommended wording, the Intent wording and the Notes wording.

J. Sherman questions specific wording, “feasibility assessment”.

S. Fitzgerald discusses wording and the meaning behind such.

J. Sherman inquires as to what other wording he would use to replace feasibility assessment with.

S. Fitzgerald indicates “value engineering and preliminary design engineering”.

D. Poliquin inquires as to what is value engineering.

S. Fitzgerald indicates work that has been done, critical review and structural evaluation of the building that was examined. He discusses to bring people in to help maximize the dollars being spent for pre construction, a process to achieve the highest value of the dollar for the construction.

R. Gray notes that there were some issues with the first study and inquires if he wants to have someone else take a look at their work.

S. Fitzgerald discusses the preliminary design development noting this will provide a very detailed focus on the work that has been done to advance to the design development, to help better design the vision for the complex and what it would be.

L. Gil notes he is trying to work on the wording for this Article. He reads his suggested wording for the Article.

R. Gray inquires as to how much the proposed study will cost.

S. Fitzgerald indicates \$25,000 will get you a pretty good preliminary design.

R. Gray & J. Sherman discuss if they create a capital reserve they need to give it more of a detailed wording by adding more information and they also discuss not creating a capital reserve.

D. Poliquin notes a capital reserve is to save money or to put money in for the expansion of the facility.

J. Sherman notes we now have a single purpose for this money. We don’t need to do a capital reserve.

Board of Selectmen hold a discussion regarding the starting of a capitol reserve account or not starting a capitol reserve account.

J. Sherman questions what the \$25,000 is to be used for.

S. Fitzgerald indicates to do value engineering on feasible studies.

J. Sherman notes people are not going to know what feasible value engineering is.

S. Fitzgerald indicates you will get documents to advance the new public safety complex, preliminary design documents that would include value engineering documents or other tools to use to help better design the construction.

J. Sherman discusses the newly suggested wording which L. Gil has been working on during this discussion.

R. Gray discusses the wording for the Intent.

Consensus of the Board is that they are in favor of this Warrant Article.

J. Sherman reads the newly updated wording for the Warrant Article.

Motion by L. Gil to accept Warrant Article E – Public Safety Complex Capitol Reserve as newly written.

2nd by R. Gray.

J. Sherman notes he likes the idea of reducing the amount and doing something with this building.

Vote 4-0-0.

Motion passes.

J. Sherman hands S. Fitzgerald wording.

Tax Collector Salary – Warrant Article U

S. Fitzgerald discusses Warrant Article U – Tax Collector Salary and notes this is adjusted due to a typo in salary. He reads the wording for the Article.

Motion by R. Gray to approve the Tax Collector's Warrant Article U with the sum going to the whole dollar amount and crossing off the cents.

2nd by D. Poliquin.

Vote 4-0-0.

Motion passes.

TOWN MANAGER REPORT:

S. Fitzgerald discusses the cable contract negotiations and two notices from the Department of Transportation regarding easement and he notes that he has asked the Town Planner to follow up on this. He discusses the Preliminary Westville Road Bridge Assessment and notes he has asked the Town Planner to follow up on the bridge program which they are looking to advance in the very near future.

J. Sherman discusses the franchise fee in the signature folder and inquires if Sean is recommending the 3 month extension.

S. Fitzgerald suggests to speak with Attorney Miller for further clarification and to look at our position for negotiating power.

J. Sherman notes in reading this it sounds like the cable extension runs out today and reads the letter out loud.

J. Sherman suggests signing this 3 month extension.

R. Gray agrees.

L. Gil agrees.

J. Sherman notes he is going to sign and it is in the signature folder.

L. Gil notes he would like to hear what Attorney Miller has to say.

J. Sherman notes Attorney Miller's response is in the FYI folder.

S. Fitzgerald notes the sacrifices of Staff members as well as their dedication and notes he will be coming to the Board with accommodations regarding such. He discusses strengthening operability and holding the utility company responsible.

OTHER BUSINESS:

J. Sherman notes that at the Rec Commission meeting they talked about one thing they wanted to do which is fund raising. They would like to be able to take the funds they raise and put them in a capital reserve account for the future needs of the recreation field. They would like to get Warrant Article in process. He discusses money that is encumbered from the Warrant Article for fields and notes there is still money left in the Warrant Article and if it is not spent by the end of the year they cannot encumber that money for another year and Carli would lose the money.

S. Fitzgerald notes that he looked into this and it may be able to be rolled over 5 years and has asked the finance director to look into this. He notes he spoke with Carli regarding this.

J. Sherman notes there are volunteers willing to do work however there is no money for items.

S. Fitzgerald notes he will look into this.

J. Sherman discusses the pamphlet he received from the Greater Haverhill Chamber of Commerce and the Government Affairs Committees which will host its 1st Municipal Breakfast on January 23, 2009 from 7:30 am until 9:00 am at Sawyers Banquet. He notes he will put this information in the FYI folder so people can block off the date.

SIGNATURE FOLDER:

J. Sherman notes the Signature Folder is going around and there is stuff to sign.

SELECTMEN'S REPORTS:

L. Gil discusses the Conservation Commission noting the very slow agenda.

J. Sherman discusses that the Budget Committee did not meet last week and he is not sure if they are meeting tomorrow. The Rec Commission did meet. The Town Report Committee met the week before and they are working on the Town Report and moving forward.

D. Poliquin notes no meetings this past week. He would like to thank everyone, Staff, employees, On Call members, all involved with the situation in Town, the Health Officer, Building Inspector, Building Maintenance, Rec Department, basically everyone, all Town Staff as well as Board members were involved at all different levels, Sean who was there all the time, he thanks everyone and wishes all a Merry Christmas.

R. Gray discusses a Planning Board meeting two weeks ago where they discussed Warrants. He notes there are some time constraints as to when things are posted. He discusses the Public Hearing and notes the Planning Board voted to hold a meeting which may fall at the same day as another meeting, but because of time constraints it had to be posted. He notes Sean will need to follow up with Leigh regarding this and the Hearing has to take place.

S. Fitzgerald inquires if conflict do we need to schedule at the Library.

R. Gray indicates yes, Leigh is going to look at.

R. Gray discusses that Thursday he sat in on a meeting on with the EPA, Sean and various Town Staff regarding the Beede property and notes they were informed it is past the point when the land should have been dealt with. He discussed with Sean last week regarding sitting down with Sumner to find out options before we contact the attorney out of Boston regarding real estate issue and tax issue. He notes Sumner may be able to handle and that Sean and he will sit down with Sumner the first of the year to see if he can represent us regarding this issue.

R. Gray discusses the Planning Board Meeting which was cancelled last week and he notes they will meet beginning of next year. He wishes Merry Christmas to all.

J. Sherman inquires if we need to provide special representation to cover Town of Plaistow sometime this coming year and he discusses EPA noting in the past he felt comfortable that the EPA represented Town of Plaistow however transition into clean up he has little less confidence that the Town will be represented appropriately.

R. Gray discusses how the EPA made it clear to Michael Spinney how involved the Town has been noting the tax lien issue which is a big issue with the Town along with the traffic issue. He discusses the lien and the law regarding the land needing to be paid off. He discusses the clean up and the transfer from the current owner to a trust. He notes the final plan will have to come before the Town. He discusses how much dirt will be leaving the Town, how much being replaced noting it is a concern for all. He notes that when we get to that stage we will have some kind of environmental expert here to represent us.

L. Gil discusses his issues with the cost of the cleanup and the traffic to Town.

R. Gray discusses his feelings as to what he thinks will happen.

Motion by R. Gray to go into Non Public under RSA 91-A:3 II (e) Matters of Personal Reputation.

2nd by L. Gil.

All Selectmen polled:

J. Sherman = yes

D. Poliquin = yes

L. Gil = yes

R. Gray = yes

Meeting adjourned at 9:57 pm.

Respectfully Submitted,
Audrey Michaud