



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

**PLAISTOW BOARD OF SELECTMEN MINUTES:**

**DATE:** Monday, December 7, 2009

**MEETING CALLED TO ORDER:** 8:43 pm

**SELECTMEN:**

Chairman, Daniel Poliquin  
Selectman, Charles Blinn  
Selectman, John Sherman

Vice Chairman, Robert Gray  
Selectman, Michelle Curran  
Town Manager, Sean Fitzgerald

**MINUTES:**

*Motion by R. Gray to approve the Minutes of November 30, 2009 as written.*

*2nd by M. Curran.*

*Vote 5-0-0.*

*Motion carries.*

**PUBLIC COMMENT:**

No one from the public wishing to speak.

**AGENDA:**

**Warrant Articles**

S. Fitzgerald discussed Draft of Warrant Articles, copy of CIP and handouts in the Selectmen's folders. He noted Operating Budget would be adjusted after the final BOS/Budget Committee approval.

**Public Safety Complex Capital Reserve Fund Deposit**

S. Fitzgerald read wording of the Public Safety Complex Capital Reserve Fund Deposit Warrant Article and noted it was the same wording that was used last year. He gave details of information presented and noted it was on the Public Safety Committee meeting's agenda however they have not met as of yet to discuss.

J. Sherman inquired if this was an existing fund and if so he would like to know what the balance of the account was.

S. Fitzgerald noted he would look into.

R. Gray suggested changing the wording to read "establish".

J. Sherman noted the Intent should include how we got to the \$70,000.

Board discussed recommending or waiting on this Article and decided to wait until Public Safety Complex Committee meets to get more information from them.

Board discussed Public Safety Complex deficiencies; creating a fund; depositing into the fund; study or development of the site; going forward and raising and appropriating money.

J. Sherman discussed funding the study and not funding the start of the capital reserve fund. He discussed the possibility of leftover money from the study being used towards construction and/or if the study came under \$70,000 then perhaps returning to tax payers. He suggested adding more detail in the Intent what the Town would be expecting to get from the study.

***Motion by J. Sherman to move that the Board does not recommend the Public Safety Complex Capital Reserve Fund Deposit Warrant Article and recommends that the Public Safety Complex Committee come before the BOS after their December 18th meeting.***

***2nd by M. Curran.***

***Vote 5-0-0.***

***Motion carries.***

Highway Department Equipment Capital Reserve Fund Deposit

D. Poliquin noted the Highway Department Equipment Capital Reserve Fund Deposit Warrant Article was one that was always on the Warrant Articles and read the Warrant Article wording. He noted it was not presented in 2009 and was in the CIP.

***Motion by J. Sherman to move to approve this warrant article (Highway Department Equipment Capital Reserve Fund Deposit) and to change the amount to \$66,000.***

***2nd by C. Blinn.***

Board held discussion on Highway Department Equipment Capital Reserve Fund Deposit Warrant Article and CIP information.

Board awaited R. Gray's return before voting.

D. Poliquin noted there was a Special State Election taking place tomorrow at the Library from 7am-7pm and at 10am on Tuesday the Seniors are painting at Michelle's.

M. Curran noted she enjoyed last week's painting class with the seniors and was looking forward to tomorrow's class.

D. Poliquin noted this was recycling week and Library would be holding Ornament decorating on Saturday at the Library.

Board decided to vote on the Highway Department Equipment Capital Reserve Fund Deposit Warrant Article without Bob Gray's attendance.

***Vote 4-0-0.***

***Motion passes.***

R. Gray returned.

Fire Suppression Water Capital Reserve Fund Deposit

D. Poliquin read wording of the Fire Suppression Water Capital Reserve Fund Deposit Warrant Article.

J. Sherman suggested updating the date in this Warrant Article.

S. Fitzgerald noted that he would.

***Motion by J. Sherman to approve this Warrant Article (Fire Suppression Water Capital Reserve Fund Deposit.  
2nd by M. Curran.***

J. Sherman suggested updated information should be supplied at their next meeting.

S. Fitzgerald agreed.

***Vote 5-0-0.***

***Motion passes.***

Cell Tower Maintenance Capital Reserve Fund

D. Poliquin read Warrant Article wording of the Cell Tower Maintenance Capital Reserve Fund.

S. Fitzgerald noted this Warrant Article was presented last year and they advanced it due to a study that was done on the cell tower which was formerly the water tower. It is structurally sound but is in need of maintenance.

***Motion by M. Curran to approve Article P-10 (Cell Tower Maintenance Capital Reserve Fund).  
2nd by J. Sherman.***

J. Sherman was in favor of this Warrant Article but reserved the right to change his mind. He inquired if it was truly for maintenance or for repairs and if maintenance was to be done every year.

S. Fitzgerald noted it was for repairs and discussed occasional significant repairs such as re-pointing the footings and reevaluating the paint on the water tower which needed to be maintained.

J. Sherman discussed 4th bullet down of the Warrant Article regarding the \$200,000.

S. Fitzgerald discussed maintenance cost and sufficiently maintaining the cell tower.

Board discussed amount of revenue received from cell tower.

J. Sherman suggested updating the dollar figures listed on the Warrant Article and noted he was voting in favor of this Warrant Article.

M. Curran discussed revenue being used for maintenance and not having to raise and appropriate such a high amount. She noted she was in favor of raising and appropriating funds and suggested using revenue from the Warrant Article to offset the maintenance costs of the tower.

R. Gray discussed plan being put in CIP.

Board held discussion on cap of Capital Reserve Fund for the Cell Tower.

J. Sherman suggested adding another Intent to this Warrant Article regarding maintenance.  
R. Gray noted he was not going to vote in favor of this Warrant Article and reserved the right to change his mind.

***Vote 4-1-0.***

***Opposed: R. Gray.***

***Motion passes.***

Playground at Old County Road (PARC)

D. Poliquin read the wording for the Playground at Old County Road Warrant Article.

S. Fitzgerald noted this was just put in the CIP this past year as an earmark and both Carli and the Rec Commission have recommended that this not be forwarded, given the playscape to the Town by the Friends of Rec and they are going to defer on this as a Warrant in 2010.

J. Sherman noted that the Rec Commission had not yet voted to not recommend this Article.

S. Fitzgerald discussed his conversation with Carli today.

J. Sherman requested that either Dan or Sean attend Wednesday's Rec Commission meeting to find out more information on this Warrant Article.

***Consensus of the board was to postpone the vote on the Playground at Old County Road (PARC) Warrant Article.***

Fire Department Capital Reserve Fund Deposit

D. Poliquin read Fire Department Capital Reserve Fund Deposit Warrant Article wording.

***Motion by M. Curran to approve the Fire Department Capital Reserve Fund Deposit Warrant Article for \$88,000.***

***2nd by R. Gray.***

J. Sherman requested balance update of the fund.

R. Gray suggested to put under the Intent why we are increasing an additional \$8,000 from last year to this year.

***Vote 5-0-0.***

***Motion passes.***

Conservation Fund Deposit

D. Poliquin read Conservation Fund Deposit Warrant Article wording.

***Motion by M. Curran to approve Article P-10 (Conservation Fund Deposit).***

***2nd by J. Sherman.***

S. Fitzgerald noted he went to the Conservation Commission meeting and they were in favor of this Warrant Article.

C. Blinn stepped out of meeting 9:36 pm before the vote.

***Vote 4-0-0.***

***Motion passes.***

C. Blinn returned at 9:37 pm after the vote.

Westville Road Bridge Replacement

D. Poliquin read Westville Road Bridge Replacement Warrant Article wording and noted this bridge was not part of the Garden Road Bridge.

***Motion by J. Sherman.***

***2nd by R. Gray.***

J. Sherman noted he thought this bridge was red listed.

S. Fitzgerald noted he asked Dan Garlington to take a look at it and he had contacted Hoyle and Tanner and should have information from them to bring back to the Board next week.

J. Sherman noted he would vote to approve tonight however he was not in favor of it if it was not red listed, however if it was found to be red listed then he would be in favor of it.

***Vote 3-2-0.***

***Opposed: M. Curran and D. Poliquin.***

***Motion passes.***

Replace 1987 Ford Backhoe

D. Poliquin read Warrant Article wording for Replacement 1987 Ford Backhoe.

***Motion by M. Curran NOT to approve Replace 1987 Ford Backhoe Warrant Article.***

***2nd by J. Sherman.***

R. Gray noted it was in the CIP to replace the backhoe this year.

S. Fitzgerald discussed information from the Highway Department Supervisor, Dan Garlington.

Board held discussion regarding deferring Warrant Article.

***Vote 5-0-0.***

***Motion passes.***

Communications Capital Reserve Fund

D. Poliquin read Communications Capital Reserve Fund Warrant Article wording.

S. Fitzgerald noted the language was just stock and there would be more detailed language given from the Police Chief to update the Warrant Article with a little bit more detail regarding how they would be using these funds.

M. Curran discussed seeing something about a grant and inquired if it was for this or for something else. She inquired if the Drug Forfeiture account money could be used for this instead.

C. Blinn noted he remembered a memo indicating a grant for equipment.

S. Fitzgerald noted he had received grants for radios and communication systems but this would be a little different, this was for the dispatching office.

***Motion by J. Sherman to defer the Communications Capital Reserve Fund Warrant Article until they have more information.***

***2nd by M. Curran.***

R. Gray noted he would be looking for some sort of plan such as every 10 years to look at updating equipment. He discussed technology changing and establishing something under a capital reserve program. He suggested having the Chief come to a Selectmen meeting to talk about this and establish a plan.

***Vote 5-0-0.***

***Motion passes.***

#### Salt Shed

D. Poliquin read Warrant Article wording for the Salt Shed.

S. Fitzgerald discussed Salt Shed being a Warrant Article for the last several years. The Highway garage sits adjacent to the landfill which has environmental impacts, run off water that impacts the environment, and the shed would allow to help purchase salt at a favorable rate. The intent here was to protect the environment and capture some efficiency in storage of materials that the Town uses quite a bit of.

J. Sherman inquired if the Town had looked at any alternatives.

S. Fitzgerald note they had not looked at many alternatives, only at the proposal to put up a salt shed. He discussed looking at relocating the Highway garage or sharing a salt shed with someone, but only holding discussions regarding looking at alternatives. He discussed convenience of loading highway trucks with salt if shed was located adjacent to Highway garage.

J. Sherman inquired if Town was going to build on existing site.

S. Fitzgerald noting building would be adjacent to Highway garage.

J. Sherman suggested specifying location in Warrant Article. He inquired if other towns had similar structures or salt sheds.

S. Fitzgerald noted yes they do however he did not have that list readily available.

D. Poliquin noted this was a definite benefit to the Town and citizens however it was one of those things that should be put out to voters to let them make the decision.

M. Curran noted she had concerns with the \$110,000 to put on site as it sits now due to the current issues and with the possibility of the relocation of the Highway garage. She noted she would rather have a more solid feeling and to pursue other Town owned properties or to utilize the existing location.

D. Poliquin discussed the Committee determined to keep the salt shed on the current location; contamination issues; no way around them at this point in time; salt shed to be erected on existing site; and life expectancy depended on type of shed put up.

J. Sherman noted the type of construction was needed to be put in the Intent of the Article.

S. Fitzgerald noted he could do a little more investigation on this and discussed current set up.

***Motion by R. Gray that we defer the Salt Shed Article to a near future meeting where more information can be presented to the Board.***

***2nd by M. Curran.***

***Vote 5-0-0.***

***Motion passes.***

#### Emergency Power Generator

D. Poliquin read wording of Emergency Power Generator Warrant Article.

S. Fitzgerald discussed exploring a number of different solutions and after market generators, meeting the load capacity of the Town Hall and the independent audit.

J. Sherman inquired what wouldn't work and would it only power the basic stuff.

S. Fitzgerald noted it would meet and exceed the necessities of Town Hall.

***Motion by J. Sherman to approve the Emergency Power Generator Warrant Article.***

***2nd by R. Gray.***

J. Sherman suggested for text of Warrant Article the wording needed to be updated from 75 to 75-100K and the bottom line should have the wording "worked appropriated" removed and replaced with recommended.

***Vote 5-0-0.***

***Motion passes.***

#### Building Systems Capital Reserve Fund Deposit

D. Poliquin read the Building Systems Capital Reserve Fund Deposit Warrant Article wording and discussed looking at amount for replenishing the fund.

***Motion by J. Sherman to defer Warrant Article for Building Systems Capital Reserve Fund Deposit until December 14.***

***2nd by C. Blinn.***

***Vote 5-0-0.***

***Motion passes.***

**Fire Protection Pump Replacement**

D. Poliquin read Warrant Article wording for Fire Protection Pump Replacement and noted this Article was for the hydrant system.

S. Fitzgerald noted Chief McArdle was working on this Warrant Article and would have more information at a later date.

J. Sherman noted this was in the CIP.

R. Gray inquired if Chief was going to address the amount in the reserve fund.

S. Fitzgerald noted he put that note there and it seemed that some of the funds could come out of that reserve fund however he was looking into that and would be meeting with the Chief to go over this information.

***Motion by M. Curran to defer the Fire Protection Pump Replacement until next week, until all information is forthcoming – until December 14.***

***2nd by R. Gray.***

J. Sherman was concerned about completing all of the water line work if some of those funds set aside for this purpose were used. He recollected that it was going to be pretty tight this year.

***Vote 5-0-0.***

***Motion passes.***

**Fire Protection Pump House Replacement**

D. Poliquin read the Warrant Article wording for the Fire Protection Pump House Replacement.

S. Fitzgerald noted this was similar to the last Warrant Article and he was working with Chief McArdle on this Article and there would be additional information forthcoming.

***Motion by J. Sherman to defer the Fire Protection Pump House Replacement Warrant Article until December 14.***

***2nd by R. Gray.***

J. Sherman requested to know the date of the fund balance.

***Vote 5-0-0.***

***Motion passes.***



J. Sherman and S. Fitzgerald held a discussion regarding the upcoming presentation of Warrant Articles for the Budget Committee and noted they would only be seeing Articles the BOS recommended and not deferred.

### **TOWN MANAGER REPORT:**

S. Fitzgerald discussed:

- Meeting with Jay Somers of Comcast.
- Meeting with Teamsters.
- Haseltine project completed and went very well. He was working with Steve Ireland from District 6 in regards to swapping Haseltine Street with a portion of Main Street.

M. Curran and S. Fitzgerald held a discussion regarding Main Street being a state road, Plaistow not plowing it, Haseltine becoming part of Main Street and the State maintaining the road.

- Personnel Plan meeting with employees and upcoming meeting scheduled for tomorrow, Tuesday, December 8th, with the Personnel Plan Committee.
- Letter to Carol Shea-Porter regarding the 2010 Water Resources Act.
- Conversation with Chuck Fowler regarding his attendance at a BOS meeting to discuss Boy Scouts helping with the Town Forest.
- Proposals for Solid Waste received and opened last Friday. Proposals were favorable and needed further evaluation. Tipping Fees were very competitive.
- Election tomorrow for a Special State Primary to elect a State Representative which will take place at the Library and following that the Special State General Election would be held on January 12 at the library.

### **OTHER BUSINESS:**

No Other Business noted.

### **SIGNATURE FOLDER:**

D. Poliquin noted the Signature Folder and Manifest were going around.

### **SELECTMEN'S REPORTS:**

J. Sherman:

- Rec Commission meeting this Wednesday which he will not attend. He had asked Dan to attend in his absence because Dan is his alternate.
- Budget Committee met last week, they did some resolutions both BOS and BudCom are almost in sync. Warrant Articles will be looked at tomorrow night.

R. Gray:

- Last Wednesday the Planning Board held a meeting that approved Jack Soraghan's request. The whole project was previously approved then Jack reduced his foot print of his building. The Rite Aid project was previously approved and nothing changed. The change was that Jack's building shrunk and he has agreed to reclaim the road coming in from Westville Road.

M. Curran and R. Gray held a discussion regarding Jack's building and plans.

R. Gray noted that the plan is for Jack to be out of his existing building by July. He is starting construction on his building fast. His existing building would be open while construction begins and Rite Aid would start construction in July.

M. Curran and R. Gray held a discussion on the one project plan.

Board held discussion and expressed opinions of change in plans and payment of \$90,000.

S. Fitzgerald discussed legal intent of Warrant Article which was discussed with Sumner Kalman and he noted he could invite Attorney Kalman in to discuss this matter with the Board.

R. Gray:

- Has information that he will need to discuss with Board in Non Public.
- Will not be able to count ballots because he would be out of town for the next couple of days.

D. Poliquin:

- Going to Rec Commission meeting on Wednesday.
- Has a meeting with REDC on Wednesday morning and was hoping the Town Manager was going to accompany him to make a presentation.

M. Curran:

- Had a visit from the Seniors from Vic Geary last week. They participated in a painting project and enjoyed themselves. They are finishing their project up this week. All items were donated and there was no cost to the Town.
- Will be late tomorrow for the counting of the ballots.
- No Family Mediation meeting this week.

C. Blinn:

- Attended ConCom meeting and Sean also attended. ConCom discussed the Boy Scouts situation at the Town Forest. ConCom was very happy the Town Manager showed up. ConCom discussed the Smith property which is for sale and has 28 acres with a conservation easement on the property. ConCom was looking into it to see if the Town would be interested in buying it this property because it was in the center of Town and could be a future building for down town businesses or even the Safety Complex.

**Non-Public Session – RSA 91-A:3,II (c) Matters of Reputation & RSA 91-A:3,II (e) Legal Matters**

*Motion by R. Gray to go into Non Public under RSA 91-A:3, II (c) & (e).*

*2nd by M. Curran.*

*Board members polled:*

*D. Poliquin = yes;*

*R. Gray = yes;*

*C. Blinn = yes;*

*M. Curran = yes;*

*J. Sherman = yes.*

Public Meeting adjourned at 11:04 pm.

Respectfully Submitted,  
Audrey DeProspero