



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

**PLAISTOW BOARD OF SELECTMEN MINUTES:**

**DATE:** Monday, August 31, 2009

**MEETING CALLED TO ORDER:** 6:35 pm

**SELECTMEN:**

Chairman, Daniel Poliquin

Vice Chairman, Robert Gray

Selectman, Charles Blinn – arrived 6:48 pm Selectman, Michelle Curran

Selectman, John Sherman

Town Manager, Sean Fitzgerald

**MINUTES:**

***Motion by R. Gray to approve Minutes of August 10, 2009 as written.***

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

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

***Abstain: M. Curran and J. Sherman***

***Motion passes.***

**PUBLIC COMMENT:**

M. Curran discussed her recent break-in at her residence which occurred last weekend at 8:28 am in the morning. She noted it was devastating and tragic however they have apprehended the responsible burglar. She discussed the community's services and publicly thanked Plaistow and Kingston Police Department noting they handled the case with the utmost respect, going above and beyond.

D. Poliquin extended his sympathy to Michelle for her loss and noted it was good to know that local police are well equipped to help the citizens of Plaistow and thanked them for their services.

**AGENDA:**

**TOWN MANAGER REPORT:**

S. Fitzgerald discussed:

- Busy summer which is coming to an end.
- EPA's Administrative Order with Storm Water management and Normandeau Associate, Rich Masters, helping with the MS-4.

J. Sherman inquired about the fine put on Plaistow and asked Sean to elaborate.

S. Fitzgerald discussed sitting with the EPA colleagues; Plaistow having a strong power to protect; work that Plaistow has to do that will meet and exceed the EPA's expectations.

R. Gray discussed the Town's position to appeal the \$40,000 fine.

S. Fitzgerald noted the Town will meet and exceed what is listed in the Administrative Order and holding a dialogue with the EPA with regards to the fine.

R. Gray discussed the Town's official position and appealing the fine.

S. Fitzgerald discussed going through an informal hearing; holding a discussion with the EPA; gauging how that discussion goes, and then deciding whether or not to go into a formal appeal; the current technical know-how and right relationships; and his upcoming meeting with Rich Masters from Normandeau Associates regarding observations, findings and data from all inflow and outflows. He noted he will update the Board regularly.

D. Poliquin inquired if they will revisit the Administrative order.

R. Gray discussed the Planning Board's issue: the Administrative Order comes before the Planning Board can propose an ordinance, the law has changed and only allows 120 days, the order comes before December and the Planning Board is looking to enact some Planning Board regulation until it can be proposed in December.

S. Fitzgerald noted they are looking for a draft and he has asked Mike and Leigh to go out and look at the best environmental ordinance/enforcement. He discussed his conversation with Susan Studlian, EPA's Director of Environmental Stewardship.

C. Blinn and S. Fitzgerald held a discussion regarding the 60 day notice that was not sent.

Board discussed their feelings regarding fines on municipalities.

S. Fitzgerald discussed:

- Meeting of August 17 regarding formal negotiations with Teamster bargaining unit regarding ground rules for upcoming negotiations.
- Court has decided with Town in the matter of Ron Brown vs Town of Plaistow – ZBA cap with the number of units to be allowed. Ron Brown has 30 days to appeal and we will continue to monitor this matter closely.
- Assessing office has been busy updating the assessments in Town and 3,000 notices have been sent out. He encouraged all who have had a reval to contact the Town with questions to help them better understand the change.
- Both the Temporary Construction Easement Agreement and Deed of Easement for Haseltine has been signed by the Board so the Town now has the necessary paperwork to advance the construction stage of widening Haseltine. Busby Construction from Atkinson was the lowest bidder coming in at \$64,901 and everything is in place to begin construction.

J. Sherman discussed approaching the intersection and noted there was not much signage, both coming out of the shopping center and going toward 125 on Haseltine. He suggested something needs to be done to improve this so people can make sure they get into the correct lane.

J. Sherman and S. Fitzgerald held a discussion regarding correcting signage.

R. Gray discussed coning off the entrance/blocking it off to protect the safety of individuals.

S. Fitzgerald noted he would look into this and get back to the Board.

- Result of vacancy in dispatching office, Chief Savage recommended candidate for position, and they have moved forward with a conditional offer which he himself approved. There are additional screening methods to do, however he is hopeful that there will be a new dispatcher in the near future.
- Three year Dispatch Contract with Atkinson is expiring this December. Police Chief Savage has scheduled a meeting for September 2 with Atkinson's Officials to discuss and develop a successor agreement.

J. Sherman discussed cost of contract; factoring in union negotiations; Atkinson having a pretty good deal; and the Town not running a dispatching center to make a profit just utilizing existing resources that they have.

S. Fitzgerald discussed pro rating the contract.

- Scheduled meeting on September 9th with surrounding Police Chiefs regarding the support of the courthouse expenses.

J. Sherman discussed negotiating contracts; building into the contract some of the costs; keeping an open mind and deriving more revenue from the contract.

S. Fitzgerald noted we will certainly seek to do that.

- Public Safety Complex Committee meeting scheduled for September 18; going over previous walk through; deficiencies and advancing the space need discussion.
- Consolidating the operational cost and space needs with the cable office; looking at a number of different sites such as the Plaistow Historical Society and the basement of Town Hall. Sean noted he would continue to update the Board and hoped to put together a cost benefit to find some efficiencies and improve our site.

D. Poliquin discussed the rental site for the cable studio and noted it had been determined that it is not in the Town's best interest to stay there, they are just looking to move to another Town Property where they will not be having to pay rent.

S. Fitzgerald discussed the \$15,000 yearly spent on rent.

- Working with Timberlane School District – George Stokinger regarding cash flow needs in splitting up monthly payment; hoping to avoid a TAN; and concern regarding looking at some credit in means to get through November;
- The request to have Leigh, Town Planner, ask the school district to do a local match to Transportation Match Grant which is supported by the Rockingham Planning Commission for the sidewalk work which will essentially help ensure pedestrian safety through the school district.

- The request of Superintendent Lasalle to meet with the Board of Selectmen on September 28 to discuss the School District's Capital Improvement Plan.
- Meeting with Representative Norm Major on Wednesday, August 26 regarding the Town's recent Economic Reinvestment Zone application and transportation matters.

D. Poliquin noted he attended the meeting with Representative Major and discussed a suggestion from the meeting: get a member from both Merrimack Valley Planning and Rockingham Planning Commission and get them together instead of just putting it on Plaistow's plate. Plaistow has been diligent on getting as much information as they could.

C. Blinn discussed transportation matters slowing down or being out of steam; Plaistow not knowing anything about this, only activated the people, who committed themselves to getting back to us; Town's people are asking what happened with the train station and we don't know; and Senator Baddour being involved and needing to let the Town know what is going on.

C. Blinn and S. Fitzgerald held a discussion regarding the transportation artery.

- Sidewalks along Main Street and working with Tobey Reynolds from NHDOT, Bureau of Traffic to review sidewalk district; crosswalks identified and funding; putting in crosswalks over the next week which will be green in the middle to help folks be safe crossing back and forth.

C. Blinn noted that he had seen some and they were maroon or red.

S. Fitzgerald discussed putting a crosswalk in front of Town Hall and noted how it is almost impossible to step out of your car in front of Town Hall safely. He asked for the Board's opinion regarding pursuing a crosswalk in front of Town Hall and thinks it will enhance public safety. The NHDOT is willing to put it in however they will lose a couple of parking spaces—estimate 4.

M. Curran inquired if there was a crosswalk a little past Town Hall.

S. Fitzgerald noted yes.

M. Curran inquired if they would be getting rid of that one.

S. Fitzgerald noted no, they would be adding one.

J. Sherman inquired if they would be utilizing the parking spaces more out back and inquired if during winter months would the sidewalks be plowed and safe for people to walk and use them to get into the building.

R. Gray discussed last year's discussion regarding a plow for \$8,500 to maintain the sidewalks in the park and noted it may be something they need to consider.

J. Sherman noted that he was not for or against it just needed to be part of the discussion.

D. Poliquin discussed fire hydrant across the street and putting a cross walk area there because you cannot park in front of a fire hydrant. He suggested running a crosswalk diagonally across and moving the handicap parking space.

S. Fitzgerald compared the cross walk to the one in Haverhill which is bricked, it looks like a cross walk and stands out. A nice crosswalk in front of the building would designate to people to slow down.

J. Sherman liked the idea of shooting across to the fire hydrant so parking spots aren't lost.

M. Curran noted she was in favor of getting more information and getting back to the Board.

J. Sherman inquired if it was possible to widen the curbing in front of Town Hall.

S. Fitzgerald noted he would get back to Board with suggestions.

- Meeting on September 9 regarding the operational costs of supporting the court house.

J. Sherman held a discussion regarding the chance of the State building a court house.

S. Fitzgerald noted he would have to go back to the State and discussed smaller court houses.

Board held a discussion regarding courthouse, judge, judicial system, monies, locations and possible outcomes.

- August 26 meeting for Unitil Emergency Preparedness – 2 hr discussion on things they have done differently to manage a crisis; working closely with emergency management in their distribution; the newly hired person who is NIMS trained and ICS certified and bringing ICS certified to their centers.

J. Sherman inquired if the public utility commission has come out with any report.

S. Fitzgerald noted he had not seen anything however he would check into it and get back to the Board at the next meeting.

- NH Municipal Association had engaged the State in a potential lawsuit regarding the cost shifting of state financial responsibilities to local governments; any unfunded mandates to municipalities; targeted at the state downshifting; decreasing its share of costs associated with retirement from 25 to 20%; increasing municipal shares to 5%; LGC looking to put team of attorneys together to advocate for Towns and cost of litigating may be \$500,000.

R. Gray inquired about the number of lawyers involved and discussed their costly expense.

S. Fitzgerald noted he could probably get that information.

J. Sherman inquired about the increased cost to Plaistow and whether the suit would go forward if Plaistow didn't join.

S. Fitzgerald noted he would look into the cost and that the suit would go forward.

J. Sherman noted he was not ready to make a decision tonight; suggested to postpone; wants to read more about Article 28 and wanted the opportunity to research it more.

D. Poliquin agreed with John.

S. Fitzgerald noted this would shift a big burden to municipalities.

Consensus of Board is for no decision.

- Meeting requested/scheduled by Commission Campbell's office for Thursday, October 1 regarding NHDOT's Ten Year Transportation Plan for the Greater Plaistow Area.

R. Gray discussed report from Rockingham Planning Commission on Main Street and hand delivering it.

- Remembrance of 9/11: Town to gather at 10:15 on September 11 to commemorate 9/11 in a small brief ceremony to remember all those who perished on September 11, 2001. Town Hall will also light a bush out front as part of their memorial
- Ribbon cutting for Moe's Sub located on Route 125 in Early Bird's Plaza on August 21; there was a sub eating contest and prizes. The owner, Mike Plante, is also a resident.
- Last Thursday, August 27, Donald Petzold and Donna Perry were married in a ceremony at Town Hall; he proposed after 40 years; Dee Voss, who is a Justice of the Peace performed the ceremony, Chief Mcardle and Lori Sadewicz stood in as officials and Sean played wedding photographer.

Board congratulated Donald Petzold.

#### **OTHER BUSINESS:**

J. Sherman discussed:

- Information provided by Health Officer, Dennise Horrocks regarding the H1N1 and the Town being as well prepared as they could be; information is on the Town and School District web site; basic reminders: stay home if you are sick, wash your hands with soap and water often, cough or sneeze into your sleeve, if you use tissue throw it away and wash your hands, don't share drinks or utensils, and get flu shot.
- Notice from Vanessa Underwood regarding Saturday, October 3 - the next Livestrong day at the Community Center in Atkinson. Unite to fight cancer a benefit to raise money for the Armstrong foundation.

D. Poliquin discussed Rec fields and the dug-out roof tops being complete. He gave kudos to the Highway Department who took that project on.

#### **SIGNATURE FOLDER:**

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

## **SELECTMEN'S REPORTS:**

C. Blinn discussed Conservation Committee. They had one issue: looking to take money out of their funds to buy a new GPS. The one they currently have is out dated and a new one costs around \$300-400 and is twice the GPS but will accomplish the things they need to accomplish.

S. Fitzgerald discussed how he authorized Mike to go out and purchase this already.

C. Blinn discussed 27 Down premier and noted he was out done by Lori Sadewicz.

S. Fitzgerald noted the director is going to get him a copy of the movie.

M. Curran discussed:

- Ribbon cutting at Moe's; soup was excellent; she wished them well and noted it was fun to participate in a business opening.
- Meeting with Barry Sargent and Sean; underway with planning holiday evening at Town Hall December 5, the first Saturday in December; her request of donations of artificial trees or wreaths if people are cleaning out and getting rid of them they can call Town Hall and request Michelle's number or drop them off at 151 Main Street because they are trying to recycle and save money. She will be having another meeting with costs and pricing and there will be tickets on sale, John Sherman will be part of the entertainment that evening and they will be able to use Town Hall for fun and a positive thing.
- Reiterated her thanks to Police Department and thanked Police Chief for his support and contact. She thanked Sean for his help and support during this trying time.

R. Gray discussed:

- Planning Board last Wednesday night: universal charitable gaming and possible location at either Sawyers Banquet Hall or Shaws Plaza; charities get 35% of gross revenue; clubs supported Girls and Boys Club; want to get Police Chief's opinion before Board, however he does not know outcome; preliminary discussion; State of NH does not have gambling; Planning Board agreed that it would be use allowed in commercial district; and told them they would have to have full site plan review.
- Approval for dog kennel and grooming on Sweet Hill and Newton Road; and approval for Snowbrook development for conditional use permit for crossing wet lands.
- Discussion regarding potential projects that were given approval previously, talked about revocation hearing; Seacoast Tent on Chadwick; Kelly Ward Fabrication – certified letter to go out; mortgage company on Plaistow Road; Dave Hoyt – housing project waiting on surveyor; Ron Brown – sending certified letter; Adam Pappalardo – no preconstruction meeting 5 months after approval; Kidder – revocation hearing for September; Green Machine – applicant is requesting 90 day extension; Rockingham Church put on hold - applicant just received financing; letter of request for bonding for Dave Cormier; and proposed racing bike business to be located at Westville business park.
- This coming Wednesday: minor site plan review for Mountain Dogs; presentation on smart codes; reviewing draft storm water ordinance; and receiving CIP and Master Plan update.
- His attendance at Moe's ribbon cutting ceremony and noted the soup was excellent. He discussed how he was glad that they have small businesses opening up in Town.

J. Sherman discussed:

- Attended CIP meeting last week and the next meeting is scheduled and coming up shortly; he thought they should be able to finalize CIP; he noted they added some good documentation and refreshed the Town's Master Plan. Tim Moore did a lot of work.
- Budget season is coming upon us soon; the first meeting is scheduled for Tuesday, September 15.
- Rec Commission meeting scheduled for September 9th at 6:30 at Town Hall and there was no August meeting because they couldn't get a quorum.
- He is back from vacation.

D. Poliquin discussed:

- Regional Selectman's meeting and inquired if anyone has heard about a date.

S. Fitzgerald referred to an email which stated September 15 or 16.

- Family Mediation and Juvenile Services – info to all selectmen in the folders.
- Agency continues to grow – now dealing with personnel plans and there were not any job descriptions.
- Attended Moes' opening and he extended his congratulations to them.

**Performance Evaluation of Town Manager.**

**Non-Public Session – RSA 91-A:3,II (c) Matters that would affect someone's reputation.**

**Non-Public Session – RSA 91-A:3,II (e) Legal Matters.**

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

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

***Board members polled:***

***D. Poliquin = yes***

***R. Gray = yes***

***C. Blinn = yes***

***M. Curran = yes***

***J. Sherman = yes***

Board discussed concert on the park that took place this past weekend; 60-70 children with face paint; budding karaoke participants; Brian Mase and all noted the music was great.

Public Meeting adjourned at 8:52 pm.

Respectfully Submitted,  
Audrey DeProspero