



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

PLAISTOW BOARD OF SELECTMEN MINUTES:

DATE: Monday, January 11, 2010

MEETING CALLED TO ORDER: 6:35 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 J. Sherman to approve the Minutes of December 21 with spelling correction to the name "Soraghan".

2nd by M. Curran.

Vote 5-0-0.

Motion passes.

Motion by J. Sherman to approve the Minutes of January 4th as written.

2nd by R. Gray.

Vote 4-0-1.

Abstain: M. Curran.

Motion passes.

PUBLIC COMMENT:

No one from the public wishing to speak.

AGENDA:

Scott Ouellette – Cub Scouts – Town Government

The Board of Selectmen asked the Cub Scouts to lead the Board in the Pledge of Allegiance.

D. Poliquin introduced the Cub Scouts from Pack 118: William Connell, Rylie Dufresne, Patrick Dunn, Cody Fleming, Justin Fogg, Braeden Ouellette, Caleb Rathe, Evan Sapienza, Joe Sweet, Isaiah Westmoreland and Group Leader, Scott Ouellette.

D. Poliquin noted the Cub Scouts were in attendance as part of their requirement for their wolf patch. He introduced the members of the Board of Selectmen and described what they do.

J. Sherman noted when the boys get older they could also be a Selectmen.

S. Ouellette asked the Board to explain how they become members of the Board of Selectmen.

R. Gray noted there was a period of time in January that you would sign up to run for the position of Selectmen by signing a form with the Town Clerk. This requires you to run for election and then when voting time comes for residents in March, they vote for who they want in that position. If you get the majority of votes, then you become elected to the Board of Selectmen.

M. Curran explained how the Board of Selectmen also are delegates to other positions to other Committees.

Chuck Fowler – Boys Scouts – Town Forest

C. Fowler discussed holding a ribbon cutting ceremony at the Town Forest the weekend before Memorial Day to celebrate and congratulate all the Eagles that worked on the project with a big grand opening to the Town Forest. He noted, once the Town Forest is open, the Troop will take care of the maintenance of the trails and markers and the Town would take care of the parking lot in the winter, picking up of the trash and handle the overgrown vegetation. His request at the present time was to ask if Troop 118 could go into the forest twice a year to maintain the forest. He discussed well defining the locations of the trails.

S. Fitzgerald noted that the Conservation Committee was in favor of this and they were looking for the approval of the Selectmen for the Boy Scouts to maintain the forest. He discussed the Town Forest being a unique asset to the Town.

J. Sherman noted he favored the idea and discussed the Conservation Commission currently controlling the trails.

T. Moore noted the Conservation Commission and the Boy Scouts have worked closely together for the past 8 years. He discussed trash maintenance, plowing of snow and the land regulations.

J. Sherman inquired if there was an insurance issue or liability issue here.

S. Fitzgerald noted he thought they would fall under a blanket policy and discussed further looking into the details and resolving them.

R. Gray noted he was in favor of this program and inquired about the usage of the Town Forest in the winter time.

D. Poliquin inquired if there were any discussion regarding making the parking lot any larger.

S. Fitzgerald noted he had not heard of any.

T. Moore noted there were no plans in place however once it is opened, they could then decide if the parking lot is filling up on the weekends and could then look into that.

S. Ouellette noted Troop 118 hiked in the Town Forest however prior to their hike he did not know it was there.

J. Sherman noted if someone could get information submitted to the Town Report Committee then they could include the information in the Annual Town Report to better make residents aware of the Town Forest.

M. Curran favored the Boy Scouts offer but wanted it to be left as a discretionary thing not a mandatory thing until they do a little more research and find out the details regarding plowing in the winter time.

Board discussed Highway Department plowing and the timing in doing such.

J. Sherman discussed insurance and getting that issue resolved. He favored the Boy Scout offer.

Consensus of the Board was for the Conservation Commission, Tim Moore, and Chuck Fowler to work with the Town Manager to get the project underway.

Tim Moore

T. Moore discussed developing trails and temporary regulations several years ago; common set of regulations with surrounding towns; consistent set of regulations; temporary regulations being made permanent and the change in letter H of the regulations from no wheeled vehicles to no motorized vehicles.

D. Poliquin read the Town Forest Conservation Lands Regulations A-J.

J. Sherman inquired about the other conservation land in Town other than the Town Forest.

T. Moore discussed Rec field, 20 acre parcel on Old County Road, easement by Little River and privately owned conservation land.

J. Sherman noted he was in favor of the regulations and inquired what the penalty for fines would be.

T. Moore noted presently there were no fines or penalties for the violations.

Board held a discussion regarding fines/penalties.

S. Ouellette inquired who would be enforcing the regulations.

D. Poliquin noted the Fish and Game and the Police would monitor the trail systems.

J. Sherman noted he was in favor of the no motorized vehicle change and the regulations being posted. He requested to have a fine/fee schedule and to have the new regulations and penalties listed.

R. Gray discussed the Police still being able to use their motorized vehicles in the Town Forest when needed.

T. Moore noted he would work on the penalties for non compliance with regulations and bringing them back to the Board.

C. Blinn discussed other towns and finding out what they have for fee schedules.

J. Sherman discussed taking out the phrase “all pets” out of Regulation F and taking “general” out of Regulation C. He suggested being specific with the Town Forest Hours.

J. Sherman and T. Moore discussed getting in sync with Atkinson and Hampstead because their land abuts the Town Forest land.

T. Moore discussed the Smith property and the conversations with the Conservation Committee; the Conservation Fund balance; enough money being available without depleting all the money in various funds; typically purchasing undeveloped land; the current land having a house on it; developing the house; land being able to be used for community lands, easement, conservation use and education; an asset for the Pollard School; sidewalks being available to walk safely to this location; if a good use for house cannot be found then they could always sell it later because they are buying at a low point in the market; and the property has been discussed for a while at the conservation commission because of the timber cut that was requested on that property prior to the foreclosure.

Board discussed previous conversations regarding the Smith property.

C. Blinn inquired about the size of the property.

S. Fitzgerald noted it was a little over 29 acres.

J. Sherman inquired if the Town could use the land for anything other than conservation property

T. Moore discussed complying with the restrictions or renegotiating with the owners.

Pack 118 Leader noted Pack 118 would be leaving and thanked the Board for letting them attend.

J. Sherman discussed the location of the property they were discussing: the Smith property just above the railroad tracks owned by Earl and Elizabeth Smith for years which is just past the entrance to Chart.

S. Fitzgerald held up a map of the specific location and discussed its usage by the Town.

J. Sherman discussed 6 years ago in 2003, a Warrant Article was created to set aside funds so the Town could be able to purchase land like this. The Article was put out to the voters but the Warrant Article was voted down. He noted that this was why they are not sitting on money for items like this and discussed going to a Town Meeting if they decided to pursue this.

Proposed 2010 Town Budget, Warrant Articles, Default Budget

Cell Tower Maintenance Capital Reserve Fund

S. Fitzgerald noted the Budget Committee met last week and approved all the budgets consistent with the Board of Selectmen. The Committee reviewed the Warrant Articles with the exception of the Cell Tower, Conservation Fund and the Fire Suppression Reserve.

D. Poliquin discussed the Cell Tower Intent.

S. Fitzgerald discussed the Budget Committee's suggestion to include a sentence to the Cell Tower Article that the \$10,000 was part of a phased project that would include additional funds that were needed to maintain the tower.

R. Gray discussed adding the "selectmen are agents to spend out of the account".

J. Sherman discussed the requests by the Budget Committee. In the Intent, at the end of the next to the last sentence, they suggested to add "which goes into the general fund to offset taxes".

Motion by J. Sherman to add the phrase "which goes into the General Fund to off set taxes" to the Cell Tower Maintenance Capital Reserve Fund Warrant Article.

2nd by C. Blinn.

Vote 5-0-0.

Motion carries.

J. Sherman discussed the request by the Budget Committee regarding the Cell Tower Intent and noted in the third sentence, "Recent estimate indicated that the initial cost. . . ." it was suggested to take out the word "initial".

Motion by J. Sherman to change the Intent wording to remove the word "initial" from the Cell Tower Maintenance Capital Reserve Fund.

2nd by R. Gray.

Vote 5-0-0.

Motion carries.

J. Sherman discussed the Budget Committees suggestion to the last sentence in the Intent of the Cell Tower Article to move it and put it in the body of the Article.

Motion by J. Sherman to add to the content of the Cell Tower Maintenance Capital Reserve Fund Warrant Article, "The Board of Selectmen will be agents to spend out of this account".

2nd by R. Gray.

Vote 5-0-0.

Motion carries.

J. Sherman discussed the other suggestion by the Budget Committee towards the Cell Tower Article that this is phase one of a multi-year plan to forewarn people in future coming years.

R. Gray discussed the purpose of a reserve fund was to ask for additional funds.

Motion by J Sherman to add, "This is intended as a first phase of a multi-year maintenance plan.", to the last sentence of the Intent.

2nd by R. Gray.

R. Gray inquired about the plan.

S. Fitzgerald suggested adding, "as outlined in the 2008 SFC Engineering Partnership report".

J. Sherman and R. Gray both agreed.

Motion by J. Sherman to add, “This is intended as a first phase of a multi-year maintenance plan as outlined in the 2008 SFC Engineering Partnership report”.

2nd by R. Gray.

Vote 5-0-0.

Motion carries.

Motion by J. Sherman to approve Warrant Article P-10-E as amended.

2nd by M. Curran.

Vote 4-1-0.

Opposed: R. Gray.

Operating Budget

Motion by J. Sherman to recommend Warrant Article P-10-A as dated January 11, 2010.

2nd by M. Curran.

Motion by J. Sherman to include the word “hundred” and to include the number for the Operating Budget \$7,298,045.

2nd by M. Curran.

Vote 5-0-0.

Motion carries.

Conservation Fund Deposit

S. Fitzgerald discussed the Conservation Fund Deposit Warrant Article and the questions brought forth by the Budget Committee regarding the Conservation Fund and the Forestry Fund described in the Article.

D. Poliquin discussed comingling funds and keeping funds separated.

Motion by J. Sherman to add to the next to last sentence of the Conservation Fund Warrant Article to insert “which can be used for similar purposes”.

2nd by M. Curran.

Vote 5-0-0.

Motion passes.

Fire Suppression Water Capital Reserve Account

S. Fitzgerald discussed the Fire Suppression Water Capital Reserve Fund and the Budget Committee’s concern regarding the way the Town had established capital funding in the past. Community members wanted additional explanation in the Intent regarding how the monies would be raised and utilized and suggested adding language regarding how the \$58,400 would be utilized to replace the pump and pump house.

D. Poliquin discussed the reason for the way the Board set up the Warrant Article.

Board discussed the Fire Suppression Water Capital Reserve Fund Warrant Article.

J. Sherman discussed the Committee’s suggestion regarding combining Article D and J and noted he was not in favor of combining them.

Board discussed expanding and maintaining the water line and putting aside money.

Motion by J. Sherman to approved Warrant Article J Fire Suppression Water Capital Reserve Fund as submitted on January 11, 2010.

2nd by M. Curran.

Vote 5-0-0.

Motion carries.

M. Curran discussed a previously submitted petition article from last week regarding the definition of “marriage” and asked if the Board took a position on the article.

S. Fitzgerald noted that the Board did not vote on, it will appear as submitted.

S. Fitzgerald discussed a lean tight budget. He thanked the members of the Budget Committee for their efforts in putting a tight budget together.

D. Poliquin noted Thursday, January 14 is the Budget Public Hearing at Town Hall at 6:30 pm.

TOWN MANAGER REPORT:

S. Fitzgerald discussed:

- Working with Tim Moore and Cliff Sinnot regarding the CMAQ (Congestion Mitigation Air Quality) letter of intent regarding the commuter rail project; the park and ride project and the work the State of NH did to set up the park and ride lot to be accessible for a commuter rail location; looking forward to having a conversation with the MBTA, NHDOT, Plaistow, MPOs and Greater Haverhill Chamber regarding the commuter rail.
- Smith property.
- Planning Board has a number of site plans they will be reviewing over the next couple of weeks and their vote to not recommend the zoning amendment.
- Summary of projects for the Rockingham Economic Development Corporation for grants the Town could possibly receive.
- Working on the clock tower repair grant.
- Greater Haverhill Chamber of Commerce meeting on January 20th.
- Southern NH Municipal Outlook breakfast on January 26.

D. Poliquin discussed Planning Board not recommending the Citizen’s Petition and inquired if the BOS wanted to vote or address this issue.

No Board of Selectmen members responded.

OTHER BUSINESS:

J. Sherman discussed Regional Selectmen Meeting this Thursday night and the BOS not being in attendance due to the Public Hearing and for other towns there is the School District Hearing.

D. Poliquin discussed vendor’s contact regarding the possibility of contracting with the Town regarding an assessment for wholesale pricing and putting them on a future agenda to discuss.

SIGNATURE FOLDER:

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

SELECTMEN'S REPORTS:

J. Sherman discussed:

- Budget Committee met last week and approved the Operating Budget and they are now in sync with the Board of Selectmen.
- Budget Committee had some recommendations regarding wording for Warrant Articles which the Board of Selectmen took up tonight. The Budget Committee will be meeting tomorrow night regarding the changes and will then be in sync with the Board again.
- Budget meeting tomorrow should be a brief meeting and if any petition articles come in tomorrow they will see them.
- Before the Budget Committee meeting there will be a Town Report Committee meeting. They met last week and talked about the previous Town Report, looking to improve but not to add to, and the theme is Plaistow Pride.
- Rec Commission meeting on Wednesday.
- Thursday is Public Hearing at Town Hall at 6:30pm. He urged people to attend because he felt it was the best way for people to see what is in the budget and ask questions.

R. Gray discussed:

- Town Report Committee meeting proceeding nicely.
- Planning Board meeting is outlined in Sean's report.

R. Gray inquired if the Town or State approved some sort of bill or article that recorded votes that are posted to the warrant whether recommended or not recommended and does it apply to the Planning Board.

M. Curran and S. Fitzgerald noted that the Board did vote on such.

D. Poliquin noted that each board /committee had to be part of the warrant.

R. Gray suggested going back and looking at the RSA/Warrant.

S. Fitzgerald discussed the governing body and looking into that information and how votes are displayed in Town warrants.

R. Gray discussed tomorrow is the Town Report Committee meeting and Thursday is the Budget Public Hearing.

D. Poliquin discussed Highway Safety Committee meeting on Friday. He noted their discussion was regarding the Haseltine and Main Street swap. The Committee voted in favor and discussed options and pros and cons. They also held a discussion of a "no entry sign" on the current Haseltine Street across from the entrance to the plaza; street light discussion; future developments and current usage and the possibility of a Public Hearing regarding cutting down on usage for cost savings to get the feel of the general public.

S. Fitzgerald discussed receiving concerns and opinions from Chief Savage and Chief McArdle regarding modification of street lights.

J. Sherman discussed the 10-12 year ago proposal to voters at a Town Meeting regarding shutting off every other street light and noted the basic discussion was “you are crazy”.

D. Poliquin discussed:

- Request from a resident on Sunrise Terrace regarding directions of a “no parking sign”. He noted the Police did monitor this area for three to four days and found no vehicles parking there so currently there is no issue.
- The Highway Safety Committee doing a Master Plan review.
- Tomorrow’s election at the Library.

C. Blinn discussed:

- Conversation Committee’s meeting and their vote regarding the use of monies to offset the purchase of the Smith property.
- Dan Johnson coming in to the Conservation Committee meeting representing Brookside Chapel and discussed his parking issue. He was going to cut two spots out to cover his problem and noted they would move forward on that and have already been before the Planning Board.
- Boy Scouts came before Conservation Committee asking if they could maintain the Town Forest.
- Cable Committee is having a meeting tomorrow night and inquired how they could do that if they were on the Budget Committee.

C. Blinn and S. Fitzgerald discussed the upcoming Cable Committee meeting.

M. Curran noted she had nothing to report. Family Mediation to start up next week and the NH Greater Haverhill Chamber of Commerce to meet next week at 3:30 pm.

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

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

Motion by R. Gray to go into Non Public under RSA91-A:3,II (c) Matters of Reputation and RSA91-A:3,II (e) Legal Matters.

2nd by J. Sherman.

***Board members polled: D. Poliquin = yes; R. Gray = yes;
C. Blinn = yes; M. Curran = yes J. Sherman = yes.***

Public Meeting adjourned at 8:33 pm.

Respectfully Submitted,
Audrey DeProspero