



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

PLAISTOW BOARD OF SELECTMEN MINUTES:

DATE: Monday, July 13, 2010

MEETING CALLED TO ORDER: 6:39 pm

SELECTMEN:

Chairman, Daniel Poliquin
Selectman, Michelle Curran - excused
Selectman, John Sherman

Vice Chairman, Charles Blinn
Selectman, Robert Gray
Town Manager, Sean Fitzgerald

AGENDA:

MINUTES:

Motion by J. Sherman to approve the Minutes of June 21, 2010 with correction to page 8 (seventh paragraph, first line replace "Annual" after Southeast with "NH Hazardous").

2nd by R. Gray.

Vote 4-0-0.

Motion carries.

PUBLIC COMMENT:

No one present to speak.

Jill Senter – Draw winners of ConCom prizes

J. Senter discussed Old Home Day and the Conservation Commission raffles and games. She thanked the following businesses: Shaws of Plaistow, Hannafords of Hampstead, and Home Depot and Wal Mart of Plaistow for their support with donations. They give gift cards or products every year. Each basket is worth \$150 and contains: a programmable thermostat, shower head, light bulbs, Go Green Cleaning products, a bag of mulch, floor mat, reusable bags and reusable water bottle. She asked Dan Poliquin to draw 2 names for the Conservation "Go Green" prize winners: Brandon Birmingham & Darrell Britton. She noted she would contact these two individuals and request them to come to Town Hall and pick up their baskets.

TOWN MANAGER'S REPORT:

S. Fitzgerald discussed the following items:

- Town Staff is continuing to look at the Noise Ordinance; Sumer Kalman, Mike Dorman and Chief Savage met this week to discuss the Noise Ordinance; and Sumner Kalman has made some suggestions regarding enforceability and legality.
- Beede Waste Oil site Access Report. Town Staff has been reviewing the report and he and they have compiled their concerns regarding this report. A public meeting was held on June 28 at the Plaistow Library concerning this report's findings and he noted that Option B-Bridge is the only option that meets the health and safety standards of the community. Another meeting was held on July 12 at the Beede site to review the access options and today there was a meeting with the Town's Delegation's representatives. He

will continue to work with the EPA who has noted they have heard the Town's concerns. The EPA informed him that the decision will be made some time in August. He noted there will be more public information sessions forthcoming and this Thursday there will be a joint meeting between both Conservation Commission and Planning Board to discuss this report.

J. Sherman discussed the PDF file that pertained to the access route and noted the main part of the report was prepared by Woodward and Curran on behalf of the PRPs and Appendix A which is the traffic report was prepared by Vanasse on behalf of Woodward and Curran. He noted both reports are inconsistent with one another. What is included in one report is not included in the other.

J. Sherman and S. Fitzgerald discussed the report contents.

R. Gray noted he attended all Beede meetings. He discussed there being some very troubling areas that the Town needs to make some decisions on regarding how to proceed in the future. He noted he agreed with Sean and discussed the Chairman of the School who spoke at today's meeting regarding the school bus route and traffic. He discussed the access report; the bridge; cleaning the site; proceeding under the assumption of certain things under the reuse plan; being on their own; rec fields and elderly housing; and items not corresponding with the EPA. He expressed his concerns at today's meeting regarding access to the site; route 121A; EPA forcing the PRPs; purchasing properties; Town's expectation on taxes – current, back and future; demolition of houses; responsibilities of all Town taxes being paid on Beede property; abatements requested on the property; and sitting down as a Board and looking at motions made back in 2003.

S. Fitzgerald discussed EPA attorney; CMA report; committee met and spent hours going over what they want to accomplish; a very public process that had access at its core; conversation with NHDOT officials; redirecting of traffic; and NHDOT understanding importance of safety.

R. Gray discussed bridge access and noted NH DES noted the impact to wet lands is minimal.

S. Fitzgerald discussed fighting for the vision of the site being cleaned up and giving the neighborhood the development that it deserves; superfund mitigation and laws; listening to Police Chief, Fire Chief and Board of Selectmen; and access option of bridge to Old County Road is the only acceptable access.

D. Poliquin noted he agreed with what both Sean and Bob said. Going forward there will not be public hearings there will be public informational meetings and they will try to get as much information out as soon as possible. He urged the residents if they see something posted please show up and to contact their Representative, Senators, Legislature people, Federal and Governmental people and NH DES. He noted legal means have not been met and discussed grey areas of the report; misrepresentations and misinformation; the report does not represent the best interest of the Town or the citizens of the Town; Selectmen attended meetings and have been vocal; and today's meeting was informational for Legislative members of the State because the EPA and the PRPs held a separate meeting with the congressional members which the Legislative members were not aware of and they were upset that they were not included in that meeting and that was why a meeting was held today.

J. Sherman noted he wanted to make two points:

1. Mike Downing is very supportive of Plaistow. He is a State Senator and good friend of Plaistow. He is continuing to serve in public service however he is running for Sheriff not Senator. He has done a great job of supporting our Town.
2. He wants the clean up to get done. He asked people to think through wanting to get the clean up done. The quick and dirty solution may not be in the best interest of Plaistow. Their primary concern is the health and safety of the Town's citizens. They are looking for the best one solution that protects the Town's citizens.

S. Fitzgerald invited the citizens to take part in all meetings and suggested to them to express their concerns.

S. Fitzgerald discussed the Rite Aid project; meeting with NHDOT and developers from Rite Aid; the driveway permit and \$90,000.

R. Gray discussed the upcoming Planning Board meeting this week on Thursday. He noted the details regarding Jack's portion of the area was to be built first and Rite Aid's portion was to be second however currently it is not clear as to when Jack's site is to be built.

S. Fitzgerald discussed Solid Waste and noted the residents could contact JRM directly at 1-800-323-4285.

J. Sherman inquired if the number Sean mentioned was on the cable scroll

S. Fitzgerald noted it was.

J. Sherman inquired if the school was covered by the Town contract.

S. Fitzgerald noted they are not.

J. Sherman inquired if they could be covered by a different contract.

S. Fitzgerald noted they could be.

J. Sherman inquired if bins were available.

S. Fitzgerald noted the Town is out of bins. The containers are too small, they are not big enough for the volume that people could take out of their solid waste however Town Hall has wonderful stickers that residents can put on their trash barrels and fill their trash barrels with recyclables instead of filling them with solid waste. The two stickers that are available at Town Hall are: Comingled which is for cans, plastic, and bottles; and the other is Paper.

D. Poliquin noted with JRM residents would not be changing the amount that they put out they would only be changing the containers and putting more recyclables out instead of solid waste.

S. Fitzgerald discussed:

- Collective bargaining.
- Metro PCS' offer is in Selectman's FYI folder and can be discussed in Non Public.
- Updated construction schedule is forthcoming for the Garden Road Bridge.
- Attendance at the Seacoast Area Police and Fire Emergency Management meeting with Chief McArdle and Chief Savage.
- Access Road letter to NH DOT which is in the Selectmen's FYI folder.
- Letter to Elizabeth Bosiak regarding the property rights required.
- The Town has been awarded a 2010 \$10,000 Historic Moose Plate Grant.
- Coordinating the CIP letters to departments over the last week and asking Department Heads to send recommendations for funding projects in the CIP.
- Friday's meeting with the EPA to finalize the legal agreement of the Administrative Order.
- Wednesday is the first initial meeting of the Plaistow First Committee.
- Thomas Dunn of the LGC requested to meet with the Board of Selectmen to review LGC's programs and to get the Board's feedback.
- This Friday Wal Mart has scheduled a grand reopening and he invited the Board members to attend.
- Plaistow's own Glenn Sansoucie has won the Old Home Day Fly Away Raffle. He was a supporter of the pancake breakfast.
- He and Roy Jeffrey have visited a few WWII Veterans and handed out official citations that were signed by the Board of Selectmen and the Governor. They met with Helen and Richard Ayers and Ferris Holmes last week and all were very pleased to receive their citations.
- This Wednesday he will be speaking at the MPO Policy Committee meeting and will be discussing transportation improvements and CMAQ project ranking.
- He received a verbal from Cliff Sinnot that the Town will receive a \$30,000 grant for technical assistance for the rail project.

J. Sherman inquired if there were any updates on the cable studio.

S. Fitzgerald noted the Cable studio is able to broadcast from the basement of Town Hall; they are finalizing the logistics with the relocation to the head end; he has a meeting on Monday with Dean Zanello to get the Library on line; and he would like to meet with the Cable Commission to set up plans for a ribbon cutting ceremony.

J. Sherman inquired if the Town was out of the old Cable Studio.

S. Fitzgerald noted yes, they are and they have terminated the lease there.

D. Poliquin asked Sean to give a quick update on the positions that are open and inquired if they had been posted.

S. Fitzgerald noted the Assessing position had not been posted and he planned to discuss a couple of ideas in Executive Session with the Board of Selectmen. The Minute Taker position is posted on the Town's web page and he has received a couple of resumes for this position. He is looking to fill this position in the next week or so.

OTHER BUSINESS:

D. Poliquin noted there was no Other Business to discuss.

SIGNATURE FOLDER:

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

J. Sherman noted he had not seen it yet.

SELECTMEN'S REPORTS:

C. Blinn noted he had no reports to discuss. The Cable Committee has not been meeting; Conservation was short a couple of people so they didn't do much the other night; and he attended Old Home Day and thought it went quite well, all enjoyed themselves. Tami did a heck of a job with the little budget that she had. He did not hear any complaints, the Governor was there and all enjoyed themselves.

D. Poliquin thanked all that were involved with Old Home Day. He extended special thanks to Dan Shields that works the facility at the Chart building because he provided a portable stairway for the WWII veterans to use during Old Home Day on a last minute request.

R. Gray discussed busy summer; Old Home Day was fantastic, weather was perfect, the Governor came down on his anniversary, and there were more people than last year. He thanked the people that put Old Home Day together. He noted he attended the Regional Board of Selectmen meeting and the topics discussed were: possibility of working together to connect trails in all town forests, joint meeting of emergency personnel to have a regional gathering center, and having the next regional meeting on a Monday night. He discussed items on the Planning Board agenda noting: elderly housing.

D. Poliquin and R. Gray discussed elderly housing complexes.

J. Sherman inquired if there was an Elderly Housing Ordinance in this Town.

R. Gray noted there is not, it was repealed.

J. Sherman noted he was on board of the concept however putting something in writing when there is no ordinance he was not on board with. He inquired if there was a State RSA that defines Elderly Housing.

R. Gray noted he would have to look into.

R. Gray and J. Sherman held a discussion regarding the Town's repeal of the ordinance.

D. Poliquin discussed the ordinance and the Town's liabilities.

R. Gray continued his discussion regarding items for Planning Board: parking across the street from Creative Expression (Main Street) which the owner is requesting to put in angle parking.

R. Gray continued his Selectmen Report noting the Plaistow First Committee meeting is tomorrow at 3:30 at Town Hall; Thursday at 6:00 pm is the Planning Board meeting and at 7:00

pm is Conservation and Planning Board meeting; and Recreation will be going to a baseball game, Red Sox versus Texas Rangers this Friday night and he will be attending.

J. Sherman discussed:

- No Budget Committee action.
- CIP starting up soon.
- Plaistow First Committee meeting at 3:30 on Wednesday which he plans on attending.
- Congratulated all involved with Old Home Day noting it was a great day. The Governor was here for the parade and he stayed around the reviewing stand, but since it was his wedding anniversary he had to leave early. The Governor dropped a thank you note to Sean which was in the FYI folder and he read the note.

D. Poliquin discussed:

- Police Feasibility Study; possibility of having an Open House at the Safety Complex for residents to get a look at their facility; locations for Police building; and the possibility of the Courthouse and Police building being joined.
- Old Home Day – he participated on most of Saturday's events. He thanked all involved and noted it was a great event.
- June 30 meeting with officials from the State in regards to the District Court House.
- Yesterday's meetings with DOT.
- Meeting with State Reps today to update them on the Beede site.
- Rec Commission meeting tomorrow night.

R. Gray noted the Board has a request from the Office of Public Safety, Michael Dorman regarding a letter from the SAU requesting a waiver of building permit fees. He read the letter and noted this had come before the Planning Board and discussed his concerns and feelings regarding this matter. He noted he did not think they should be waiving sub contractor fees however this is a different situation because it has multiple towns involved.

S. Fitzgerald noted he had not seen the document and wanted to review the bid document. He discussed level playing field regarding waiving fees and requested to be able to review this document prior to the Board making a decision. He noted he is meeting with the Superintendent this week and would be happy to discuss with him and bring information back to the Board.

J. Sherman agreed with Sean and noted he was not in favor of taking any action tonight.

J. Sherman noted there was an incident at his home last Thursday night which needed the response of the Fire and Rescue Squad and he wanted to thank that department and noted he would send a personal thank you note also. This shows again what a great department it is. They were very professional and very helpful.

D. Poliquin gave well wishes to Sue for a quick recovery.

Non Public RSA 91-A:3, II (c) Matters of Reputation

***Motion by R. Gray to go into Non Public under RSA 91-A:3,II (c) Matters of Personnel
2nd by J. Sherman.***

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

D. Poliquin reminded all:

- Tomorrow evening is the Merrimack Valley Concert Bank in the park;
- Landfill is open from 7am until 3pm on Saturday;
- Recycle week is next week July 19; and
- Lee Lewis and Doo Wops will play next week on the Green.

Public Meeting adjourned at 8:41 pm.

Respectfully Submitted,
Audrey DeProspero