



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

PLAISTOW BOARD OF SELECTMEN MINUTES:

DATE: Monday, June 7, 2010

MEETING CALLED TO ORDER: 6:35 pm

SELECTMEN:

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

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

AGENDA:

MINUTES:

Motion by M. Curran to approve the Minutes of May 24, 2010 with spelling correction to the word "currant" on page 4 to read "current".

2nd by J. Sherman.

Vote 5-0-0.

Motion carries.

PUBLIC COMMENT:

No one requested to speak.

Gary Erickson, Conflict of Interest

D. Poliquin noted the Conflict of Interest Committee recommended Gary Erickson to be appointed for a one year term.

G. Erickson noted he was an electronics engineer whose specialty was printed circuit boards. He has been in Town since his daughter has been in first grade and she is now in 7th grade.

M. Curran inquired if he had sat in on any meetings yet.

G. Erickson noted no.

J. Ingerson (Joyce) approached the Board and noted she was not sure if the Board of Selectmen needed to appoint Gary because the Conflict of Interest Committee (COI) has already appointed him. She noted Selectmen, John Sherman, went to check the ordinance.

J. Sherman returned and noted the Board of Selectmen (BOS) does not appoint and read a paragraph from the COI's bylaws, Section I of Conflict of Interest Committee, Subsection C, Should a Vacancy Arise.

H. Birmingham (Harry) approached the BOS and noted the COI welcomed Gary to their Committee. Their Committee has the right to appoint him, and in the case of an election then a

Warrant would be needed however the Board of Selectmen is merely accepting the fact that the Committee has elected/appointed this individual.

D. Poliquin read the Warrant.

Consensus of the Board is to accept Gary Erickson to the Conflict of Interest Committee.

Scott Vezina – PFD swearing in

D. Poliquin welcomed Lieutenant Scott Vezina to the Board of Selectmen and described the rigorous process he had gone through to get the full time Firefighter position.

S. Vezina noted he was thankful for the opportunity to prove himself. He thanked Sean, Fire Chief McArdle, his wife and his children, Tyler and Cole.

S. Fitzgerald discussed the rigorous process; scoring on tests; review panel of department head executives from other municipalities; looking forward to Scott's ability to make Plaistow a safe place; his great qualities for public service; fortunate to have him as a resident in Town raising his family here; and the Town being lucky to have him serve in public life.

S. Vezina read Firefighter's Oath.

M. Pelletier, Town Clerk signed Scott's Oath of Office.

Chief McArdle congratulated and thanked Scott.

Route 125 – NH DOT – Tim Moore & Leigh Komornick

S. Fitzgerald noted he asked Tim Moore to attend tonight's meeting to discuss the meeting with Elizabeth Bosiak, the NH DOT's offer and to seek the guidance of the Board regarding the back of the McGirt property.

T. Moore discussed drainage easement and slope easements; slope easements extend 50 feet into the properties; where easements are there are wet lands; Town owned property; paved access to Route 125; curb cut; getting down off the slopes; access to rear properties; and expectation of pavement.

J. Sherman discussed negotiations.

T. Moore discussed curb cut and monies.

S. Fitzgerald noted he was looking toward the Board for a motion to give him permission to draft a letter to seek curb cuts to access to former McGirt property and for consideration of negotiated settlement on the easement.

Motion by J. Sherman to give Town Manager permission to draft a letter regarding curb cut and settlement on easement.

2nd by R. Gray.

Vote 5-0-0.

Motion carries.

Board and Sean thanked Tim.

J. Sherman discussed with T. Moore getting CIP committee meetings going.

D. Poliquin invited Joyce Ingerson to approach the Board to discuss her Warrant regarding her ZBA position.

J. Ingerson noted her original intent was to be placed on the ZBA as a Board Member not as an Alternate. She asked them to rescind on the original Warrant to fix the confusion that had taken place. She believes she has the knowledge to handle the position as a full time member however she realizes it was ultimately up to the BOS to make the decision.

M. Curran discussed one seat vacant on the ZBA; Board having to make a decision on their Alternates; a current existing Alternate; and a recommendation that should be coming from the Committee asking an Alternate to step up and fill the vacant seat.

B. Loeffler approached the Board and noted the BOS opted to vacate the Chairman position so the Committee did not have a meeting. At that time they were not able to ask the Alternate individual to see if he wanted to be a full member. The Committee owes that Alternate an opportunity to see if he wants to be a full member.

D. Poliquin discussed Chair person not being appointed, Vice Chair stepping into that position and the Committee bringing members forward.

D. Poliquin asked Larry Ordway if Paul Boniface had been asked to move into a full position.

L. Ordway noted not to his knowledge he was not asked.

Motion by J. Sherman to rescind Joyce Ingerson's previous appointment to the ZBA as a full member and to appoint her as an Alternate to the ZBA.

D. Poliquin discussed the background of Joyce's position and signed Warrant.

2nd by M. Curran.

M. Curran noted Joyce is going to be a wonderful addition to the ZBA and thanked her for coming back to the BOS.

R. Gray discussed individuals coming before the Board prior to the drafting of a Warrant.

D. Poliquin discussed procedural issues.

Vote 5-0-0.

Motion carries.

Recap of Memorial Day – Barry Sargent, Roy Jeffrey & Tom Cullen

S. Fitzgerald noted Barry was unable to attend this evening's meeting and noted Bill Hallahan, Tom Cullen and Roy Jeffrey were present to discuss the Memorial Day events.

R. Jeffrey thanked the BOS and all who participated. He discussed the attendance of people and the wonderful time everyone had. He wrote a letter to the BOS and read it.

D. Poliquin noted he could not be in attendance but had heard all had a great time. He discussed the Memorial Day Celebration and noted it was done as a thank you to the Veterans.

M. Curran noted she was able to attend and was able to speak first hand with the Veterans. She was honored and proud to take part in the event.

J. Sherman noted it was an honor to be in their presence and to be able to take part in their ceremony. He thanked them for their service.

C. Blinn noted he was in attendance. He discussed the ceremony being well received and attended; having the honor to be there; a great job was done getting all those individuals there; an honor to be an American; and he thanked the Veteran's for giving everyone their freedom.

R. Gray noted it was an honor to be in the presence of real Plaistow heroes. It was a great type of event to have in the Great Room. He personally studied that time frame and got all choked up and lost words while speaking. He was honored to be part of a special ceremony.

R. Jeffrey continued to read his letter that he wrote to the Selectmen noting his genealogy discovery regarding himself being a little Irish. He joked that Tom Cullen would be running for election, Bill Hallahan would be helping him, Tom would be singing the Irish Rover and for all to vote for Tom.

T. Cullen noted the event exceeded the number of people that they thought would be attending. He noted this was something the Town needed. He also knew most of the attendees.

S. Fitzgerald discussed the meaning of Memorial Day and the profound ways the younger generation reached out to show how important their sacrifices were to them.

Peter Bealo – ZBA (Zoning Board of Adjustments)

P. Bealo gave a hand out to the Board of Selectmen members regarding his qualifications. He asked to be placed back on the ZBA as a full time member. He described his background; his history on the ZBA; his past experience and knowledge; history in the Town; personal and political background and recusing himself when needed.

L. Ordway approached the Board and thanked the members of the Board for reappointing him noting his next time around he was going to get all 5 signatures. He was here to support Peter Bealo noting Peter is a great asset to both boards.

C. Blinn discussed situation that arrived months ago which put the Boards in their spin. He inquired how Peter felt about the letter that put this all in motion. He discussed the signing of the letter and Board members being accused and inquired about Peter's feelings.

P. Bealo noted he was sorry that it had to take place. He discussed process in place and the letter being done in the most respectful way possible noting it didn't affect any election and Michelle cleaned up her issue.

M. Curran noted whether she did or not had nothing to do with the letter.

P. Bealo noted it wasn't something bad, the process was frozen and the letter kick started it.

C. Blinn discussed their impasse.

P. Bealo asked for the Board to do what they felt was right.

C. Blinn discussed ZBA and Planning not going together and the perception of the person being on both boards.

D. Poliquin noted they appreciate everything that Peter does for the Town. He discussed the committees, boards and assessments that were needed noting what he does has not go unnoticed. He discussed conflict; making decision prior to the letter coming out; concern regarding what was done with it; what transpired; what happened the first night with the Warrant; not having enough signatures; how things got blown out of proportion; Board not having a chance to discuss Warrant; nothing being said; no discussion regarding signatures; having the situation handled differently; new process being put in place; standard operating procedures; his feelings as a member of the Board; understanding what Peter is saying regarding no law stating Peter not being able to be on both boards; looking at outside of perception; issues regarding how things were handled afterwards; items being handled appropriately; no one asking to come before Board besides Larry Ordway and issue not being handled in the best manner.

R. Gray discussed the law does allow a member of the Planning Board to sit on the Zoning Board. The RSA states that one member of the Planning Board can sit on the Zoning Board. He signed Peter's Warrant because the law allows it. He understands the perceived conflict by sitting on both boards, but the x factor is the person sitting in both positions. He does not see anything in Peter's past that warrants him from not being on both boards. He feels he should be a member of the ZBA.

***Motion by J. Sherman to appoint Peter Bealo as a member to the Zoning Board of Adjustment.
2nd by R. Gray.***

J. Sherman discussed Peter brings a great deal of technical and historical items to the ZBA; he recuses himself when needed; the RSA allows it; Peter does a fine job on both boards; Peter's previous history on other committees; and he has been a long time servant to the Town. He noted he was very comfortable appointing Peter to the ZBA.

C. Blinn agreed to the information in the RSA noting it was true.

D. Poliquin noted Board members discussed the letter that came out and noted decisions were made prior to the letter. He discussed issues that happened afterwards, items being rectified through the media and not by coming before this Board.

Vote: 2-3-0.

For: J. Sherman and R. Gray

Opposed: M. Curran, C. Blinn and D. Poliquin.

S. Fitzgerald thanked Peter for what he does for the Town.

TOWN MANAGER'S REPORT:

S. Fitzgerald discussed:

- Update on Main Street Traffic Study.

J. Sherman noted that the report is way overdue.

S. Fitzgerald noted it is 6 months overdue.

8:01 pm Board took break. Board returned 8:10 pm.

- Collective Bargaining training. He encouraged members of the Board to participate in the upcoming training.
- Thursday, June 3rd meeting with Attorney Kalman regarding new service on cell tower from Metro PCS.

J. Sherman inquired about the numbers.

S. Fitzgerald noted he would share that information in Non Public.

- Commuter rail project
- Phone call from Commissioner Campbell.
- Webinar that he and Tim Moore attended in his office.

R. Gray pointed out the significant development by the MBTA to have legal rights through Plaistow because Pan Am does not normally give up rights. He noted this was a significant accomplishment and it puts another item in place for their goals.

S. Fitzgerald discussed the PATAC Committee's efforts to this commitment.

- Cable studio. Comcast was in Town last week installing fiber cable down Main Street to connect Town Hall for local origination.
- Gearing up for Collective Bargaining. This Wednesday will be the first of several meetings to come.
- Generator that was approved at the Town Meeting has been installed at the back of Town Hall and they will be testing it this week
- Hearing back from Donald Goodnow, Director of Public Courts regarding a visit of Plaistow.
- Coordinating transition date between Waste Management and JRM. Possible transition date of June 28.

R. Gray inquired if the residents' pick up day would still be the same.

S. Fitzgerald noted initially they would be the same however JRM may have some time saving changes.

- Garden Road Bridge is moving forward and tentative date for construction is July 6.

- June 4th meeting with Attorney Kalman and Selectmen Gray regarding the Beede site. A site visit may be scheduled for June 22, 23 or 24 with the Beede Group.
- Updates on Planning Department: Ron Brown has contacted Planning Department regarding not being ready for the June meeting. The Public Forum for the Master Plan is scheduled for June 16.

OTHER BUSINESS:

No Other Business noted.

SIGNATURE FOLDER:

D. Poliquin Signature folder and manifest were going around

SELECTMEN'S REPORTS:

R. Gray discussed:

- Attended Memorial Day which was covered earlier. It was a wonderful ceremony.
- Planning Board meeting was covered by Sean.
- Meeting on Wednesday to seek input from the public. He encouraged members of boards and committees and citizens of the Town to attend the Public Forum scheduled for 6:30 on the 2nd floor of Town Hall on Wednesday, June 16.

J. Sherman noted there was no Budget Committee meeting and he was at Memorial Day Ceremony which he was honored to be at and it was a wonderful event.

M. Curran:

- Thanked Bernadine FitzGerald and Brenda Major for planting flowers. She noted she assisted them and was very proud to be a laborer for them. She noted the Town green looks wonderful and it is owed to the ladies and the Highway Department men who have done a fantastic job.
- Attended Family Mediation and noted there was a letter coming to the Board updating them regarding an ad being placed for new executive director.
- Attended WWII presentation and noted it was wonderful. The parade was enjoyable and she went to the Legion's luncheon and thanked the Legion for extending an invitation to her. She also went to their ceremony which was wonderful.

S. Fitzgerald thanked Michelle Curran for her extra efforts with making the cover for the Daniel George plaque.

M. Curran noted there was a lot of Town Staff at Memorial Day that participated throughout the day and she thanked all of them for their efforts: Historical Society, Dave Bowles, Joyce Thurston, Lori Sadewicz and Audrey DeProspero. She noted she was very proud to be here.

S. Fitzgerald discussed all the hard work by Representative Major regarding the preparation for the biography of Daniel George.

C. Blinn:

- Thanked Michelle, Bob and John for taking care of the speeches at Memorial Day. They did a great job. He appreciated them for their time and attendance. This was his first

time as Vice Chair and he was grateful to them. He thanked them, and noted the Board was terrific in moving things forward that day. It was a real honor and he enjoyed the day. It was long, but it was really great, and it was one of the best celebrations around.

- Discussed Old Home Day was approaching. Tami Smith has been working quite hard and people have been working together. He read the Preliminary items for the day: car show, horseback riding, apple pie contest, horseshoe tournament, Sunday is a day at the Recreation Field on Old County Road where there will be a softball game between the Police and Fire Department, dunk tank, cow patty bingo and Olympics. It will be a full day for families. He noted everything was going along very well however they were disappointed that there was not enough money for fireworks but maybe next year it would be different.

D. Poliquin:

- Thanked all involved for Memorial Day. He discussed the day's events; ceremonies, and parade. He thanked all organizations that marched in the parade, and those who participated in the day's events.
- Noted he had no meetings to report on.
- Noted the CEDS Steering Committee meeting is on this Wednesday and Tim Moore will be in attendance with him.
- Discussed the upcoming Rec Commission meeting on June 9th.
- Noted in his folder were two flyers: D.A.D. Presents: TIPS for Parents; June 15 at Sanborn Regional HS Auditorium regarding navigating children through daily activities and Special Presentation of Ryan's Story at Timberlane Regional Middle School Library on June 8 from 6:30-8:00pm. This story impacts all with a deep message.
- Landfill will be open this Wednesday evening from 4-8pm.

Non Public RSA 91-A:3, II (a) Matters of Negotiation; (c) Matters of Reputation and (e) Legal Matters

Motion by R. Gray to go into Non Public under RSA91-A:3,II (a), (c) & (e) Matters of Negotiation, Reputation and Legal.
2nd by M. Curran.

Board discussed Non Public not being on the agenda.

R. Gray noted there was no legal problem by going into Non Public.

Consensus of the Board was to go forward with the Motion of entering Non Public.

Board members polled:

M. Curran = yes

D. Poliquin = yes

R. Gray = yes

C. Blinn = yes

J. Sherman = yes

Public Meeting adjourned at 8:42 pm.

Respectfully Submitted,
Audrey DeProspero