



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

PLAISTOW BOARD OF SELECTMEN MINUTES:

DATE: Monday, January 23, 2012

MEETING CALLED TO ORDER: 6:34 pm

SELECTMEN:

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

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

AGENDA:

MINUTES:

Motion by J. Sherman to approve the Minutes of January 16, 2011 as written.

2nd by R. Gray.

Vote: 5-0-0.

Motion carries.

PUBLIC COMMENT:

No one from the Public present to speak.

NON PUBLIC RSA 91-A:3 II (c) Matters of Reputation - Lori Sadewicz

Motion by R. Gray go into Non Public under RSA 91-A:3 II (c) Matters of Reputation.

2nd by J. Sherman.

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

Board went into Non Public at 6:37 pm - Board returned to Public Session at 6:41 pm.

UPDATE ON WATER TOWER MAINTENANCE - Mike Dorman/Fire Chief McArdle

S. Fitzgerald discussed Inspector Mike Dorman and Fire Chief McArdle being present to update the Board on the report they received from Utility Services regarding the former water tower which is now the Town's cell tower. The report was done two years ago and showed disrepair of the tower. He discussed SFC's structural repair report of the tower; the need for a significant maintenance component; \$300,000 to paint the tower; Utility Services more comprehensive service for painting the tower; details of the report; proposal for a corral or halo around the tower; continuation of evaluation on the tower; Mike Dorman to evaluate companies that could come in and help the Town; evaluation of cell contracts; property owner/landlord: Town of Plaistow; continuity of service for leases of the tower; and discussions with Attorney Kalman.

D. Poliquin inquired about the corral.

S. Fitzgerald discussed installation of a temporary tower.

J. Sherman discussed cell tower revenue: over \$100,000; protecting cell tower and keeping it functional; life of the cell tower; and investment to keep the cell tower. He inquired if it made sense to have more than one cell tower in the Town of Plaistow, what were the advantages and disadvantages of having more than one cell tower in Town and would it make any sense to look into permanent towers.

S. Fitzgerald discussed cellular communication; roadways in Town; benefits for the Town; opportunities; Inspector Dorman investigating information regarding more towers; negotiations for relocation of cell tower; relocation is cost favorable; holding discussions with cell tower leasers; and total cost associated with maintenance of the tower.

R. Gray inquired if there is a way of working with the providers to essentially sell them on the opportunity of the Town wanting to erect a cell tower with the idea that this would be their opportunity to put up updated equipment.

J. McArdle noted they did that now. Periodically people are on the tower updating equipment but residents have not seen them. He discussed looking at all options; renovation; putting a new structure up at the current location; finding a new location; and not getting out of the business because the tower is revenue for the Town.

J. Sherman inquired if there were advantages for having the cell tower at higher elevations.

M. Dorman noted higher elevation was good and it would benefit the Town to have two towers.

D. Poliquin inquired if there was room on the same parcel of land for two towers or did they need to take part of the old Penn Box site, what the age/longevity of a new tower was, how long would it be before it would need to be updated, and what was the cost comparison for putting a new tower up or taking the original tower down.

S. Fitzgerald discussed cost estimate of \$25,000 to take the current tower down. He noted he was skeptical of the number.

M. Curran discussed technology; items added to telephone poles to increase cellular service; cellular providers always working to better cell phone coverage; planning ahead 30 years; and getting a jumpstart on technology as to where it is going. She was in favor of putting money into the current tower and noted it was a huge benefit for the Town because the Town continued to make a profit of the cell tower.

S. Fitzgerald discussed Chief McArdle being a proponent of doing something with the tower. The concern was that the tower does have lead paint and it is flaking. He noted there were no serious concerns at the present time but they would continue to monitor the paint situation.

M. Curran inquired if the Town could apply for a grant. She inquired when the tower was constructed and noted it could be a historical item.

S. Fitzgerald was not sure of the year but he could look into it. He did not think there was a grant available because it was not a municipal water service.

J. McArdle noted the tower was constructed in 1967 and designed in 1966.

S. Fitzgerald discussed looking into additional cost estimates for consultants that could help the Town with estimates for the establishment of a temporary water tower. He was looking for an industry consultant who could advise the Town about a cell tower, establishment of one or two, and a better way for the Town to spend the money on the cell tower.

R. Gray discussed expansion of separate towers important for the Town; taking care of existing cell tower issue; and priority is to fix current tower whether it be to put a temporary tower there and fix the current one.

Board discussed property owned by the Town of Plaistow (both tower and land) and having to get access to it by crossing Chart property.

J. McArdle noted the issue was not with the lead paint, the issue was when you start to take down the lead paint and having to prepare the surface.

S. Fitzgerald discussed alternative analysis to go forward over the next several months. He noted if they were going to keep the tower up then Utility Services would be a very good firm to work with.

J. Sherman discussed having a strategy and looking at the bigger picture. He thought having a cell tower strategic plan made a lot of sense.

TOWN MANAGER REPORT

S. Fitzgerald:

- Proposed Warrant Article suggestions by DRA (mandatory changes required for Article P-12-03 and P-12-06) and article association to another article which effects article if one fails.

Motion by J. Sherman to direct the Town Manager to change the wording of Warrant Articles P-12-03 and P-12-06 per the direction of DRA as referenced in the Town Manager's report of January 23, 2012.

2nd by M. Curran.

Vote: 5-0-0.

Motion carries.

- Public Safety Complex Committee met last Friday. Committee discussed space need strategies associated with the Safety Complex.
- Emergency Management Committee met on Monday. Lt. Baldwin is leading the way and doing a great job. The Town has received a check for reimbursements of the October 31st snow storm. They are continuing to update the Town's Emergency Management Plan. The Hazardous Mitigation Plan does need a few updates and will need a vote at a later date.
- This past Thursday there was an involved discussion with the Beede Group and the EPA. We are advancing the Town's concerns as to how we deal with the superfund site.

J. Sherman discussed concern for no standard permitting and no standard Public Hearings being done. He noted the Town was not able to get them to follow the Town's ruling. The Attorney for the Group noted Public Hearings would not be done however the Attorney should not be making that decision, it should come from management. He suggested to bring this information to Doug Gutro

and have him look into it. The Town is watching the work going on out there and is trying to get it to the public. He thinks they should have Public Hearings to inform the residents of the on goings. He suggested for the Town to pursue how to go about holding a Public Hearing even though the EPA or Beede Group may not participate. He suggested for the group to be invited to a Board of Selectmen meeting and then have the Board turn the meeting into a Public Hearing.

R. Gray discussed no official notice of a Public Hearing would be seen in the newspaper however residents could see updates at the Library.

S. Fitzgerald noted he would look into all of John's concerns.

M. Curran remembered the group telling them that they would have to abide by all local ordinances and hours of operations and inquired what had happened since they first started and now.

R. Gray discussed person in charge of EPA of NH has to follow Town rules when it comes to building structures but because they follow the rules does not mean they have to following the Hearing process.

M. Curran discussed easement access and jurisdiction.

R. Gray discussed the questions during the meeting that were directed toward the intersection of Danville Road and Main Street being part of the site process and the Attorney noting he could not answer those questions at the present time.

J. Sherman discussed EPA's response regarding whenever they are contacted by Congressional Delegates they respond immediately. He took that statement to be that it was as a fairly positive statement to work with the Congressional Delegates.

S. Fitzgerald discussed looking at different communication protocols as far as Alaska.

D. Poliquin noted regardless of what the EPA or Beede wanted to do regarding Public Hearings he felt that it was something the Town should do whether it was a Public Forum or on a Cable Channel or Town's web site it needed to be accessible by residents. He suggested to get representatives here from other organizations and to invite the public in to give them information and to allow them to ask questions.

M. Curran noted they were not notifying the neighborhood and they were not being made aware of the on goings.

R. Gray thought John was right. He discussed Public Hearings in Town being the Board's responsibility; packing the room with residents and informing the residents what the group is doing in this Town. He noted it should come as no surprise as to when the circular laws were changed and the EPA got away from funding the superfund sites. It become the responsibilities of the oil companies and laws were changed to accommodate big oil because they were going to be responsible for paying for the cleanup of the sites. At the meeting Mike Skinner mentioned the property being purchased on Main Street and the Beede Group paying the taxes on that property. They spoke of chemicals being stored on property for clean up and he inquired who would be paying for the Public Safety Officials who would respond to emergencies. The Beede Group is to be working with the Town regarding

payment however the Town has not had any discussions with the Beede Group. He thought it was important to bring them back in and bring up those conversations again regarding payment of services.

D. Poliquin discussed Fire Department having the ability to bill for services and hazardous material would have to do with the HazMat District and they have ability to bill also.

R. Gray was looking for something more in addition to that.

J. Sherman discussed looking for specifics that Congressional Delegates could do. He suggested sending the Delegates a letter, specifically: Shaheen, Ayotte & Guinta, a direct and to the point memo from the Board of Selectmen asking for them to contact the EPA based on what was stated in the last conference call with the Beede Group and the EPA.

- Old Section of the Cemetery closed due to safety concerns. There was a situation where someone got stuck. The Newer Section, (the second entrance) is still open. The Town is asking residents to use the rite away instead of the entrance through the Old Section.

D. Poliquin discussed rite of away being significantly encroached upon by vehicles and wood.

S. Fitzgerald noted Attorney Kalman was looking in the wording of the original easement language and they are going to address this issue so folks are not struggling to get in to see their loved ones at the Cemetery.

J. Sherman noted he has heard different things from different people regarding what the easement allows and Sean's approach to really looking at the easement is good because it is a concern to many people.

Board discussed Old Section of Cemetery's roadways.

Board suggested to put up a barrier indicating the Old Section is closed.

S. Fitzgerald noted the Newer Section's roadways would be maintained.

- Custodian hired for the Public Safety Complex - Ernest Miller.
- Three Candidates have advanced past the Professional Review Board and are being recommended for the Patrol positions in the Police Department.
- Site meeting with Testa to discuss the fire pond on February 1st at 10am.

J. Sherman noted this pond was not on Town owned land, it was owned by Testa.

S. Fitzgerald noted that was correct.

R. Gray inquired what kind of access easements did the Town have with the Testa property.

S. Fitzgerald did not know but noted he would look into.

- Presented a citation to Mary Ann Tavitian on her 92nd Birthday last week with Selectmen Blinn and Roy Jeffrey.

OTHER BUSINESS

J. Sherman discussed previous Board meeting with the attendance of the Superintendent of Schools and the members of the School Board. He noted he inquired about the teacher union contract and health benefits for administrators and the Superintendent did not know however he did get back to the Board and the situation was that the School District pays 95% and the Administrators pay 5% and the Teachers are 80/20. It was his understanding that the Administrators have gotten raises over the past years. He thanked the Superintendent for letting the Board know the information.

D. Poliquin suggested for John to discuss his email to Cara Hogan

J. Sherman discussed article in general was about Warrant Articles submitted by Citizen Petitions. Most of the article was about the Petitions and he found some incorrect information in the article so he contacted Cara with the incorrect information and he copied the Board as a courtesy. He reviewed the list of items: Petition Article opposes a commuter rail facility - no it doesn't, it only mentions the layover station; there are other problems in other towns with similar facilities - only complaint he heard was Bradford and if there were other documented items he would like to see them so he can visit the other facilities; dozens of residents were opposed to the layover facility at the PATAC meeting - they were Atkinson residents; the headline on the continuing page read: Rail Selectmen Keep it Off Warrant - it is completely untrue, Selectmen do not keep it off the Warrant. It was a resident against the MBTA project - petition only includes layover station. He sent this information as an individual resident not as a member of the Board of Selectmen and he only copied the Board as a courtesy.

S. Fitzgerald thought it was a great email and suggested the Board meet with the Editorial Board of the Eagle Tribune.

D. Poliquin thanked John for his email and for his information he presented to Cara for correction.

SIGNATURE FOLDER

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

SELECTMEN'S REPORTS

M. Curran:

- Family Mediation meeting last Wednesday. Several members did not show up and no one had a key so they adjourned within a half hour. She received a card thanking her and her husband for their efforts they put in to Family Mediation.

C. Blinn:

- Cable meeting last Tuesday. They discussed: new show; Fire Chief's information regarding egress; Channel 23 is new channel for the Town; looking for new logo for Channel 23, they are thinking about going to Pollard School to see if the kids could come up with a new logo; and Library is going to have Candidates Night.
- Thursday night was ConCon meeting. The spoke about Arbor Day and what they needed to do to make it better than last year. They talked about planting of trees and what to do for

hand outs. March 15th Charlie Marino, Tree Forester, is coming down to discuss trimmings in the area. And they discussed the upcoming of Old Home Day.

- Presented Citation to Mrs. Tavitian with Sean and Roy Jeffrey. It was great. Doing things like this makes him feel close to the people.

M. Curran discussed her invitation from Mrs. Tavitian to visit her and see the painting she has done. She is looking forward to seeing them. Mrs. Tavitian has an incredible green thumb and is an accomplished artist.

R. Gray:

- Last week's Planning Board meeting was cancelled. The only thing on the Agenda was the review of Tractor Supply and they had requested an extension. January is not a very big month for building.
- Attended Beede teleconference.
- Town Report Advisory Committee met last week. They are working on still trying to get the final draft reports from different entities and are working on the layout of pictures. Their next meeting is one week from tomorrow night.
- Scheduled meeting for the end of the week (HazMat Advisory update) not able to attend.

J. Sherman:

- No Budget Committee meeting.
- No Plaistow First Committee until a few weeks from now.
- Town Report Advisory Committee met, some reports have come in, they are working on pictures and inserting them and they are on schedule. Leigh is working on formatting. He thought the Committee was in good shape. They will meet one week from tomorrow. They cannot finalize the report until after the Deliberative Session however the final draft should be available after that.
- Attended Beede meeting. They continue to meet once a month as scheduled.

D. Poliquin:

- Had two meetings this past week:
 - Recreation Committee met on Wednesday but he was not able to attend.
 - Safety Complex Meeting on Friday morning however he was unable to attend due to the snow storm because he was plowing.

D. Poliquin noted Zoning Board of Adjustments would be meeting this Thursday and this week is not a recycle week.

NON PUBLIC RSA 91-A:3 II (a) Legal

*Motion by R. Gray go into Non Public under RSA 91-A:3 II (a) Legal.
2nd by M. Curran.*

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

Public Meeting adjourned at 8:21 pm.

Respectfully Submitted,
Audrey DeProspero