



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

PLAISTOW BOARD OF SELECTMEN MINUTES:

DATE: March 3, 2014

MEETING CALLED TO ORDER: 6:33 PM

SELECTMEN:

Chairman, Robert Gray

Selectman, Michelle Curran

Selectman, Daniel Poliquin arrived at 6:43 pm

Vice Chairman, John Sherman

Selectman, Joyce Ingerson

Town Manager, Sean Fitzgerald

AGENDA:

MINUTES:

Motion by J. Sherman to approve the minutes of February 24, 2014

2nd M. Curran

Vote: 4-0-0

Motion passes.

PUBLIC COMMENT:

Jill Senter states that she would like to update the Board of Selectmen regarding the Conservation Commission current activities. We are working on the easements but now are at a standstill waiting until the election on Tuesday is completed. Hoping that the public allows them to go forward with the easement. We will be applying for a second grant, we have used most of the ARM grant money. This grant will be through the *Recreation Trails Grant*. This would be to do work on Carlton Path end of the forest. There is some roadwork that needs to be done, not including the Mosher issue. The entrance to where the trails are going to be. There are some old cars that need to be removed. There is a portion of the road that has a place in the stream crossing that we want to put a stone ford. The trail needs to be re-graded as well as a suspension bridge to be relocated. That grant will be for approximately \$20,000.00 there is a slight match with that, there is plenty of money in the Conservation fund to cover the expenses of our matches to the grant. The ARM grant, our portion of that will be approximately \$30,000.00 and we have over \$80,000.00 in the Conservation Fund.

R. Gray states a public hearing can be held when the grant issue and match comes up. The cars are abandon that you are speaking of.

J. Senter responds no, the Conservation Fund and the Board of Selectmen will allocate the money. This grant will be through the Town, whereas the other grant was through the Southeast Land Trust.

R. Gray inquires the cars are on Town Forest property are abandoned.

S. Fitzgerald states that he has taken pictures of the cars; we will be just disposing of them as recycled items. They have been there for perhaps decades. The match with town staff time and perhaps a cash match of Conservation Funds, we will work with DES on that issue. There is another grant that is

available to the town for the same recreation program from DES. We can look at perhaps an aquatic resource for PARC of some part of PARC. Discussions will occur this week as to how we can co-ordinate these grants. The cap on these grants is \$20,000.00 there are many programs that will fit very well with some of the efforts of the Conservation Commission and the Recreation Commission.

J. Sherman inquires if all of this work will be done on town property.

S. Fitzgerald states it will but may include property that the town has a right of way on it. Restoration of Carlton Path is part of this project. It has dropped from a Class 6 road to a Class 5 road it is over 100 years old. The Frog Pond area was given to the town this past year, we have rights to Carlton Path.

J. Senter states that Carlton Path will be a 2nd entrance to the town forest. Either as an actual entrance or as a maintenance road.

Discussion occurs regarding the potential 2nd entrance uses and practicality.

J. Sherman states that there is a special presentation for R. Gray. A cake with a likeness of Bob.

R. Gray states there will be a recess at 6:45 pm for 10 minutes.

R. Gray re-opens the meeting at 6:55 pm. He states that when he was first elected, the town did not have a manager, at that time the Selectmen split the town departments to oversee. I oversaw the Police Department, that year the Chief proposed a budget over a million dollars. Part of the learning curve of this job is learning how to tell people no.

R. Gray states that the 2013 Town Report is out and we have an advanced printing. The dedication for the 2013 Annual Report was done this afternoon, with great pleasure and pride the 2013 dedication is to Larry Gill.

The dedication reads: The members of the Plaistow's Board of Selectmen are pleased to dedicate the 2013 Annual Report to longtime Plaistow resident, official, and volunteer, Lawrence Gil. Larry is simply one of Plaistow's most caring, knowledgeable, dedicated, and engaged citizens, who spent decades of his life working and fighting for our Town. By sharing his vision for how we could create a better tomorrow for all of Plaistow's citizens, his work has inspired the best in civic life and in helping to protect our precious environmental resources. Married for forty-four years to Margaret Eileen, he and Margaret are the proud parents of four children and two grandchildren. He is loved and respected by everyone whose life he touches. Larry served as a member of the Board of Selectmen for twelve years, and was appointed Chairman for two of those years. He was a true leader on many important issues that faced the Town during these time periods, and oversaw the Environmental Protection Agency's designation of Cash Energy/Beede Waste Oil site as an EPA Superfund Cleanup site. As a member of the Planning Board for eleven years, Larry was able to contribute significantly to the development of the Town's Master Plan, Zoning Regulations. His expertise in environmental issues and projects having met the various protections to the Town's environment. And, while serving as a member of the Town's Conservation Commission for fifteen years, Larry willingly and humbly gave of his time, talents, and expert knowledge in conservation and environmental stewardship ensuring the many programs and initiatives of Plaistow. With a very extensive and rich education, which includes a Bachelor of Science Degree in Zoology, credits toward a Master of Science Degree in Marine Biology, an Associates Degree in Business Administration, and a Master of Science Degree in Resource Management & Administration, Larry has his knowledge to help the Town of Plaistow

become a better place to live. Over the decades, Larry not only found time to serve the citizens of Plaistow, but he also was a member of the Saint Jude Council Knights of Columbus, an organization that sponsors many service programs and activities which exemplify the principals of Charity, Unity, and Fraternity. Larry has had a very extensive career which has included positions that were all very distinguished, such as: Environmental Scientist for the Massachusetts Executive Office of Environmental Affairs where for a portion of his tenure, was the North Coastal Watershed Team Leader and was responsible for bringing together local government officials, concerned citizens, state and federal authorities, and commercial and industrial interests to address problems and issues related to environmental protection. Environmental Scientist for the Massachusetts Department of Environmental Protection Program where he worked on the Wetland Protection Program as a field engineer to evaluate on-site conditions and implemented the necessary engineering solutions to rectify the problems. Environmental Engineer with the Massachusetts Division of Water Pollution Control where he worked on a number of Superfund sites in Massachusetts including New Bedford Harbor, Sullivan's Ledge and the Resolve Site. He was also a member of Technical Review Committees for the siting and performance evaluation of water pollution facilities in New Bedford, Fall River and Boston. Marine Biologist for the Massachusetts Division of Water Pollution Control's Estuarine Program for Buzzards Bay where he supervised the collection of hundreds of samples to evaluate water quality in both fresh and marine waters, sediment quality. Marine Biologist for the Massachusetts Division of Marine Fisheries, for which he evaluated proposed coastal dredging and coastal wetland alteration projects for environmental impacts and where he later served with the Division's Shellfish Program evaluating shellfish stocks along the North Shore and in Boston Harbor. In addition to many and varied accomplished careers, Larry is also a powerful example of a true American Patriot who nobly distinguished himself in our Nation's armed forces during a time of need. He is a Vietnam Veteran who served in the United States Army as a 4th Infantry Division Radio Operator and in 1970 received an Honorable Discharge. Larry would often remind us that "*Our country's freedoms are based on a government OF THE PEOPLE, AND BY THE PEOPLE and it is my belief that we owe it to ourselves and our community to participate with our skills and talents to the best of our ability.*" Larry has truly been one of Plaistow's most powerfully engaged citizens and became one of the most well-known, loved citizens. Over his decades of service and volunteerism, Larry's kind, thoughtful, and determined principles have helped to make Plaistow a better place to live for all our citizens. Over the years, Larry has consistently poured his heart and soul into making the Town of Plaistow an extraordinary place to live, work, learn and play. As a tireless supporter, he was always first in line to lead a community project, or to serve in any needed capacity. By touching and enriching the lives of many in our community, Larry has served in a manner that best defines all that Plaistow has to offer. Therefore, it is only fitting and proper that such a public servant be honored and recognized by the citizens of Plaistow for his outstanding, life-long contributions to the Town of Plaistow, and the State of New Hampshire, by dedicating the 2013 Town Report in his honor. We urge others to join us in extending our congratulations, gratitude and best wishes to Larry and his family for his decades of service to the Town of Plaistow, and for the positive difference his dedication has made to all of us!

J. Ingerson states the afternoon dedication went very well.

S. Fitzgerald states felt that L. Gill was surprised and very pleased. He believed that Representative Major's stated that the Board could not have made a better choice.

M. Curran states that she regretfully could not attend this afternoon.

J. Sherman states that as Charles “Buzzy” Blinn had stated, Larry did make Plaistow a better place to live.

FIRING RANGE SITE PLAN – CHIEF SAVAGE & LT. BALDWIN w/ MIKE DORMAN

Chief Savage reviews the presentation regarding the Tactical Training Center for the Town of Plaistow. The cover contains a picture of a building with indoor and outdoor classroom areas. Pages 2 and 3 depict an aerial view of the training center.

Page 4 reviews the history and development of the range. The progress made over time.

Chief Savage states that at one time, the area was excavated for the town cap. The town also excavated onto an abutters property unknowingly at the time.

R. Gray inquires if there is there a plan to deal with the lead contamination.

Chief Savage refers to page 5 “Best Management Practices for Lead at Outdoor Shooting Ranges”. Stewardship regarding lead management that is Pro-Active. As long as the range stays active, millions of dollars will be saved by not allowing it to go dormant. In the case of being unused the site would have to be cleaned up not only from the Police usage but for all the previous usage by residents. Page 7, Range Best Management Practices (BMPS). Management with an eye toward clean up at a future point, cost will be approximately \$300,000.00 which can be raised by grants or private funding. The raising of the land by 6 inches will allow for easier removal of cartridges and allow for paving. Currently we have 5 other departments interested in using this range.

J. Sherman inquires if those other towns will contribute to offset the costs.

Chief Savage states, Yes. The City of Haverhill Police Dept. has committed funds toward the stonework and landscaping.

M. Curran inquires if the co-ordination with other departments will include scheduling hours of operation with those departments and their time usage.

Chief Savage states that scheduling is very important for usage of other departments. There are also neighbors concerns that have to be considered.

M. Dorman states that the trees will remain on the property to act as a buffer with the sound.

Chief Savage states that in some cases the sounds being heard now could be from Kingston whose facility for shooting is close by. Regarding 2013 improvements, improved parking area, completion of shelter overhang attached to the building, permanent installation of a generator and to upgrade the access road. The single biggest hurdle for this project is if there is a breach on the road, we would be looking for a 2nd access to the property.

R. Gray states the property owner where the 2nd access would be used should be put on notice that we will potentially need this in the future.

M. Dorman states that we already have.

S. Fitzgerald states that the cap of the landfill needs to be protected with a permeable membrane.

Chief Savage continues Site Plan/Lot Line Adjustment the encroachment onto Torromeo's property to the NW. In process now of a lot line adjustment with his support. Cost of the site plan is approximately \$4,400.00.

S. Fitzgerald states that Attorney. Kalman has drafted a Warranty Deed to transfer that property to the town where the encroachment has taken place.

Chief Savage states that the site plan page 3 or the presentation refers to installation of berms = concrete blocks.

S. Fitzgerald points out the topography as shown on the slide.

Chief Savage continues referring to page 11, Due Diligence – The Plan Notes, which lists the Abutters, Current Zoning information the intent of the plan, flood zone, utility location, Registry of deeds disclaimer.

S. Fitzgerald states that the site has a special environmental consideration.

Chief Savage refers to page 12, Environmental Notes. Environmental condition protection, environmental impacts and groundwater protection plans.

R. Gray review a portion of paragraph 2; "Small samples, will be collected with a shovel, and run through a series of sieves to filter out the lead rounds and then weighed to establish the approximate concentration of lead in the soil berms". Has that taken place or is it going to take place.

S. Fitzgerald states that Normadeau Associates is following up on these recommendations and testing this year. Following through on our responsibilities and following DES and EPA guidelines we will be responsible partners.

Discussion occurs regarding mandated cleanup efforts of a working firing range or a dormant firing range.

Chief Savage reviews the Summary slide & Next Steps slide. He hopes to have completed the next steps slide by the end of April.

J. Sherman inquires if the funds are there for the projects being shown.

Chief Savage states Yes.

S. Fitzgerald states there have been conversations with a consultant to move the project forward and where the funds can be obtained from. Getting the site plan completed is part of going forward.

Chief Savage states that the Chief of Police in Haverhill has indicated that he plans on investing in some of the projects needed at the firing range, specifically the gates and associated wire as a deterrent to entry and a sweeper system.

D. Poliquin inquires about the encroachment on Town Property?

S. Fitzgerald states not at this time.

R. Gray inquires, what is the natural flow of the waters that are on the map that border Torromeo's property?

M. Dorman states that he would have to take a walk out there.

R. Gray there may be a lot line adjustment needed there.

Lt. Baldwin states the practice ammo being used at the range is the lead free. People have to be limited that can come to the firing range many groups are interested in using it. There may be a home training class for firearms.

S. Fitzgerald states that we have talked about a revolving account to charge for training and use the revolving funds to maintain the center.

Chief Savage states that Meth Lab training, this is a practical place to demonstrate that training regarding meth lab explosions, fire department training is another potential usage for the training center. In late March or early April we will extend an invitation to participate in a work party to complete some finishing touches, painting, etc.

J. Sherman states that as a reminder, this has been done without taxpayer funding.

R. Gray inquires is it the consensus of the Board is in support of the presentation.

Board responds Yes

WELFARE GUIDELINES – REVIEW OF CHANGES

R. Gray states that this is a continuation of a Public Hearing that began on February 10th 2014. R. Gray opens the discussion regarding the final review of the Welfare Guidelines.

S. Fitzgerald states we wanted to add language that would require verification that a property that was support by funds from our Welfare Assistance Program meets minimum housing standards in NH, essentially assuring that the unit is Safe, Sanitary and Secure with appropriate compliant egresses including Smoke and Carbon Monoxide detectors.

D. Poliquin states all references to rental units must be removed. Remove from the paragraph the lines between 153:10 up to and Chapter 95.

Discussion occurs regarding suggested update to language.

J. Ingerson states she is in disagreement with removing the word eviction, "*A tenant has the right to report any serious coke violation to a landlord or public official without fear of retaliation or eviction*".

J. Sherman states that the word do in the lower paragraph should be does.

R. Gray states that the changes in the language following discussion are:

Under the 4th bullet point the paragraph should read; “Meets acceptable standards, as outlined in RSA 153:10 and Chapter 95 of the Code of Plaistow, which details requirements for minimum housing standards. Then above that, “*Further, I attest and certify that the property unit meets minimum housing standards as outlined in NH RSA 48-A:14 and is. Also, under the asterisk below where it states; “Please note: The property owner is responsible for maintaining these premises in a safe and sanitary manner. A tenant has the right to report any serious code violation to a landlord or public official without fear of retaliation. Finally the final paragraph that reads; “The undersigned Notary Public, exchange does for the word do, hereby affirm that”*. Does anyone from the public wish to speak.

None speaks.

R. Gray states he is closing the public hearing at 8:24 pm.

R. Gray speaks asking for a motion to accept these changes.

Motion by D. Poliquin to accept the changes to the Affidavit for Welfare Assistance for housing as discussed here this evening.

2nd J. Sherman

R. Gray states the following is being added to the Welfare Guidelines; “The Town of Plaistow requires all vendors to provide reasonable assurances that the goods or services provided are of sufficient quality and quantity to support the value of the public monies that are paid to acquire the goods or services. To this end, properties, supported with funds from the Town’s Welfare Assistance Program, shall be required to have the property owners to sign an affidavit that acknowledges the “Minimum Standards” for housing in New Hampshire and ensuring that the unit per RSA 153:10 is:

- *Safe*
- *Sanitary*
- *Secure*
- *Has appropriate and complaint egresses*
- *Smoke and Carbon Monoxide detectors*
- *Meets the minimum housing standards set by the State of New Hampshire*

R. Gray inquires of the original motion to be amended to include this language.

D. Poliquin and J. Sherman affirm.

Vote: 5-0-0

Motion passes.

TOWN MANAGER REPORT

S. Fitzgerald states:

- NH DES Trails Grant Conservation Chair Jill Senter we are submitting applications for two \$20,000.00 grants for the town.
- Source Water Protection Grant

Motion by J. Sherman to move that the Plaistow Board of Selectmen accept a grant award of \$19,995.70 and enter into a grant agreement with the NH Dept. of Environmental Services on March 3rd 2014; and further authorize the Town Manager to execute any documents which may be necessary for this grant agreements:

2nd J. Ingerson
Vote: 5-0-0
Motion passes.

Discussion occurs regarding the Water Symposium information regarding aquifers.

- Historical Society Lease.
Motion by J. Sherman to authorize the Town Manager to execute a lease agreement dated and presented to us on March 3, 2014, between the Town of Plaistow and the Plaistow Historical Society.
2nd D. Poliquin
J. Ingerson inquires about the insurance coverage for the Historical Society and the contents of the building.
S. Fitzgerald states he will obtain that information.
Vote: 5-0-0
Motion passes.
- MS-5 Financial Report of the Town Budget.
- Northern Utility Tax Settlement.
- Timberlane Health and Fitness Fair.
- Recreation Updates.
- Planning Board.
- Carlton Path Update.
- Wells Fargo versus Jay Davey
- Hillcrest Estates – Request for Waiver from various impact fees
- Training session for town hall staff update
- Safe Routes to School Grant update
- NH DOT MBTA meeting will be on March 6th at 2 pm at Town Hall. The Agenda is an issue because they are not available before the meetings.
 - Consensus of the Board that it is unacceptable that there is no agenda available 3 days prior to the meeting.
- Public Safety Committee Update
 - R. Gray is taking an issue with the Board member not being notified when there are meetings taking place.
 - M. Curran suggests the alternate is also notified as well with all committees.
- Rabies Clinic
- Testa property status discussion in Non-Public
- Officer Graduation from the Police Academy Steven DiChiara.

OTHER BUSINESS

None

SIGNATURE FOLDER

R. Gray notes the signature folder and AP Manifest are going around.

SELECTMENS REPORTS

M. Curran:

- Attended a Family Mediation Meeting, discussion included potential for Health Insurance for the staff and being recipients of a \$50,000.00 reimbursement grant.
- Tomorrow Elder Affairs meeting at 1:00 pm

D. Poliquin:

- Nothing to report.

R. Gray:

- Last Planning Board meeting will be next Wednesday
- Last Board meeting next week.
- Last official act as Selectmen will be at Town Meeting on March 11th.

J. Sherman:

- I attended the Dedication of the Town Report to Larry Gill for 2013. Larry mentioned water issues including a drought in the 1960's. I have asked Jim Peck to look into the drought in the 1960's and provide any information about it that he can find.
- Went to grandson's baseball practice, I appreciate the coaches and the time they donate.
- Announcement earlier the taping of the budget show will occur tomorrow at 5:00 pm.
- Am very impressed with the cable show regarding the Town Forest and the Warrant Articles.

J. Ingerson:

- Attended the Dedication for Larry Gill, he autographed it for her.
- Attended the Cable Committee Meeting, will be organizing with an area cable coordinator.
- Attended the Conservation Committee meeting and they have an Arbor Day theme.
- Attended Candidates Night, thanked Library Staff and Norm Major.

Motion by: J. Sherman to enter into non-public session RSA 9-A:311(a) Personnel (d) Negotiations (e) Legal

2nd: D. M. Curran

Board Polled: R. Gray = yes, J. Sherman = yes, D. Poliquin = yes, J. Ingerson = yes, M. Curran = yes.

Public meeting adjourned 9:07 p.m.

Respectfully Submitted
Kerry Lee Noel

