



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

Plaistow Board of Selectmen Minutes

Date: November 21, 2022

Meeting Called to Order: 6:01 p.m.

Roll Call:

Select Chairman, Jay DeRoche - Present
Select Vice Chairman, Bill Coye – Present
Selectman, John A. Blinn, Sr. – Excused
Selectman, Darrell Britton – Remote Participant
Selectman, Jonathan Gifford - Present

Also present: Greg Colby, Town Manager and Beth Hossack, Administrative Specialist.

Chair DeRoche asks Selectman Britton why it is not practical to attend the meeting in person.
Selectman Britton replies, he is having problems with his surgical knee.
Chair DeRoche asks Selectman Britton if anyone is in the room with him.
Selectman Britton replies, no he is alone.

Public Comment

Sheila Clark, 10 Walton Road states she moved to Plaistow in 1998. She is aware of the cleanup project at the Beede site. Recently she stopped by and talked to them. S. Clark is very impressed with what the cleanup group wants to do. She thinks walking trails would be beneficial to seniors. She hopes the Board will consider their proposal. She feels it would benefit all.

Mike Skinner, Project Coordinator for the Beede Group thanks the Board for adding this discussion to the agenda. He states the ground water treatment will not change even if future use changes. A change to future use will only change soil cleanup. M. Skinner mentions one positive initiative of the group was installing the water line for the residents whose water was contaminated. That eliminated the need for individual water systems in basements. Another is the STEM Program with Timberlane Regional High School. If the area is maintained as conservation, including the wildlife habitat and passive recreation, less digging of soil would be required. The group would focus on safety, development of the site and finances. Eighty-five percent (85%) of the space would be open space for passive recreation. It would be ADA accessible, and the money saved from digging, removing and the trucking of soils would be enough to maintain the area into perpetuity (a trust fund would be established). The intent of the original plan was to clean the site to a standard where future use would consist of residential housing, recreation and conservation.
For the record, Chair DeRoche reads in entirety the letter from Michael J. Skinner Consulting, LLC dated September 26, 2022.

Dear Selectmen,

The Beede Site Group (BSG) has been, and remains, committed to the safe remediation of the former Beede Waste Oil facility. Our work is performed under the oversight of the U.S. Environmental Protection Agency (EPA) and the New Hampshire Department of Environmental Services. The site has also benefited from regular review and input from the Board of Selectmen. Our philosophy from the beginning has been to provide transparency and responsiveness to our neighbors and the greater community while conducting our work safely to meet the remediation obligations.

Our commitment to both transparency and responsiveness is why we are here today, asking for your support in securing a safe and beneficial future use for the Beede Waste Oil Superfund Site. This letter outlines our commitment to work together with you and others to achieve that goal.

We consistently hear from our neighbors about their wish to see the land returned to a natural state and not developed for either residential or commercial purposes. In this regard, our neighbors have been clear in their desire to see the land set aside for conservation and passive recreation. We hear this feedback through survey responses, open houses, and STEM projects supported in part by the BSG at Timberlane Regional High School. Such an end use also aligns with the Town's master plan.

The BSG has carefully considered this feedback and developed a vision that can deliver this preferred future use. Shown in Figure 1, this vision seeks to create a conservation and passive recreation destination that provides amenities for the community, protection of the environment and a vital connection for the area's wildlife corridors. The vision can be achieved, while at the same time delivering efficiency and safety in the process of remediating and restoring the land for this use. As described below, the Group is willing to commit to funding the development and stewardship of this vision, thus providing the residents of Plaistow future access to an enhanced conservation area at no cost or other burden to taxpayers.

The EPA looks to site owners and the local community for input on the desired future use of Superfund sites. Future use can be considered at any point in the Superfund cleanup process. The Board of Selectmen's views and input on this path forward are important to achieving the vision the BSG has proposed. Therefore, we are asking for the support from the Board for this vision, in the form of a Board resolution that:

- Endorses a passive recreation and conservation end use for the site, which current zoning allows and is designated in the Town's master plan.
- Requests that EPA pursue a remedy modification that aligns the cleanup with the desired reuse and EPA's own emphasis on "green remediation," so as to minimize the environmental impacts of the cleanup on the community (including those associated with truck traffic) while continuing to ensure protection of human health and the environment.

Aligning the cleanup standards to a conservation and passive recreation end use will enable the remediation to be completed faster and with less truck traffic. This will reduce the impact of the work on the neighborhood and shrink its environmental footprint, while at the same time fully protecting current and future public health and safety.

In conjunction with the above actions by the Board, the Group would commit to:

- Funding the development of the site post remediation, in line with the vision shown in Figure 1 (Note: figure 1 is not part of these minutes, the wording of the letter is verbatim).
- Funding a trust to provide long-term monitoring and maintenance for the conservation land, so that the Town of Plaistow will not need to incur those costs.
- Implementing a conservation easement that will protect the conservation and passive recreation land use in perpetuity.
- Continuing development of environmental and STEM education programs with local civic groups and the Timberlane Regional High School.
- Working with EPA to make appropriate modifications to the remedial action to align the ongoing cleanup with the desired future use of the site.

We hope that the Board of Selectmen will support our desire to provide the Town with a beneficial community asset for generations to come. We look forward to answering any questions the Board may have about this vision for the future of the site.

Sincerely,

Michael J. Skinner
Project Coordinator for Beede Waste Oil Site

Selectman Coye asks if the original plan required ten (10) feet of soil to be dug while the new proposal would only require digging down two (2) feet.

M. Skinner replies, yes. The ten (10) feet is required for residential use to include basements in houses. If no houses are built two (2) feet is enough for passive recreation and conservation. He also states hot spots would be dug more than the two (2) feet.

Selectman Coye asks if it will be capped.

M. Skinner replies, maybe.

Selectman Coye asks if the EPA will need to approve the new proposal if it is agreed upon.

M. Skinner replies, yes.

Selectman Britton thinks it is too early to make a decision regarding a change to future use.

Selectman Gifford asks about water going into hot spots.

M. Skinner state the water will be pulled out, treated and put back into the plume. The water flows towards Howard Manor and the water will be captured in the water treatment plant. Monitoring of the ground water will continue.

Selectman Gifford states we need the opinion of the EPA. The other selectmen agree.

Chair DeRoche asks if the soil can still be dug to ten (10) feet, then continue with the new proposal. He likes the idea of the proposal and believes it will be beneficial to the Town.

M. Skinner replies, the expense to dig the ten (10) feet will not allow enough money left to create a trust fund to maintain the area. Yet, with the new proposal the soil left behind will be safe. So far 170,000 gallons of oil have been removed from the ground through the thermal extraction process.

M. Skinner states the EPA has different cleanup standards for housing vs. non-housing.

Chair DeRoche states the Beede Group has done amazing work so far. The Town wants to make sure the site is cleaned as much as possible. He asks if the EPA has a copy of the new proposal.

M. Skinner replies, yes.

Chair DeRoche asks when the decision needs to be made.

M. Skinner replies, there is no specific date however it would be helpful for BSG to know in the first quarter of 2023 before the final design is created.

Discussion continues and it is decided that a site walk will be beneficial for the selectmen. A future informational night for the public will be held.

M. Skinner thanks the Board for their time.

Assessing Budget

Chair DeRoche states at the last meeting Marybeth Walker, President of Corcoran Consulting was in attendance to discuss values anew for 2023. All types of properties (residential, commercial, condos) are within 3% of each other. The ratio ranges from 75-79%. If values anew are done in 2023 it will not push out the clock for a full revaluation in 2026. There is no real benefit to changing values in 2023.

There is consensus amongst the Board to forgo any updates in 2023 therefore the proposed 2023 assessing budget will not change.

Review Warrant Articles

The CIP Committee has recommended a number of warrant articles to save money for future capital needs. Tonight, we will quickly review the articles to get a feel for the Boards agreement on them. Many of the warrant articles will be funded from the unassigned fund balance which means there will be no 2023 tax impact.

There is consensus amongst the Board to move forward with the following warrant articles:

- Deposit to the Highway Department Equipment Expendable Trust Fund.
- Fire Department - replacement of old extraction equipment .
- Fire Department – replacement of a ventilator and IV pump.
- Establish a Police Vehicle Capital Reserve Fund.
- Discontinue the Police Detail Revolving Fund and replacing it with a new Police & Fire Detail Revolving Fund with a cap of \$150,000.
- Deposit to Building Expendable Trust Fund.
- Deposit to the Library Capital Reserve Fund.
- Purchase two (2) voting machines.
- Deposit to the Energy Capital Reserve Fund.
- Deposit to the Transportation Infrastructure Capital Reserve Fund.
- Establish a Contingency Fund.
- Deposit to the Revaluation Capital Reserve Fund.
- Deposit to the Fire Department Capital Reserve Fund.
- Deposit to the Cemetery Special Maintenance Expendable Trust Fund.
- Deposit any donations received in 2022 for Old Home Day into the Old Home Day Expendable Trust Fund.
- Readopt the All Veterans Tax Credit.

There may be a few more warrant articles to come. One for the Town Collective Bargaining Agreement and one for Primary wetlands.

Town Manager Colby states he spoke to the Town Moderator earlier today and we will hold the deliberative session at Town Hall.

Review BOS Schedule January – March 2023

The meeting dates for the selectmen will be as follows:

January 9th and 23rd
February 6th and 27th
March 13th and 27th

Water Budget

Town Manager states the tentative Water Department Budget for 2023 is \$494,090. No money for this budget comes from taxes. It is from potable water and fire suppression users. This will be revisited at the December 5th meeting.

Approve Consent Agenda

Item Description

1. Accounts Payable Manifest – week of November 17th and 24th, 2022.
2. BOS draft minutes – November 7th, 2022.
3. One (1) Administrative Abatement.
4. Three (3) Municipality Land Use Change Tax Bills

Selectman Britton motions to approve the consent agenda as written. Seconded by Selectman Coye.

Discussion – Selectman Coye recommends adding a statement regarding the pickup of mattresses to the draft minutes of November 7th. There is agreement to take the draft minutes of November 7th, 2022 out of the consent agenda. They will be updated and approved at the next meeting.

Vote: 4-0-0

Motion carries.

Town Managers Report/Potable Water Update

- Attended a water meeting with the construction group. They are still working on hook-ups and hope to complete most of the work in December.
- Has meet individually with department heads.
- Attended the After Action for Elections meeting held today.
- Busy preparing year end reports such as w-2's and 1099's.
- Allowed the Highway Department to open the landfill for an extra day on Saturday 11/26.

Selectmen's Reports

Selectman Britton

- Attended the last Budget Committee meeting.
- Attended the Planning Board meeting.
- Attended the RPC meeting. Plans are in progress to build a rail trail from Portsmouth to Newburyport, MA. Several project are in que however there are none for Plaistow.

Selectman Gifford

- Planned to attend the Recreation Commission meeting however a meeting was not held as there was no quorum.

Selectman Coye

- Attended the Old Home Day meeting. They are working on budgets for next year. They have updated their By-laws which will be presented to the Board at the next meeting.

- Attended the Planning Board meeting. The economic survey is still available for residents to complete.

Chair DeRoche

- Attended the last Budget Committee meeting.
- Attended the CIP Committee meeting.

Chair DeRoche states the Town Hall Annex will be closed on Wednesday, November 23. Town Hall will close at 1:00 p.m. on Wednesday, November 23, 2022. All offices will resume normal business hours on Monday, November 28.

Events

- Tree Lighting – 12/4
- Vic Geary Social – 12/13
- Several holiday events will be sponsored by the Recreation Department. Check the website for details.
- The Festival of Trees will be held Friday, November 25 – 27 at the Fish & Game Club.
- Convenient MD Open House – Tuesday, November 29, 4:00-6:00 p.m.

Other Business

None

Chair DeRoche recommends a nonpublic session and states we will not come back to a public meeting. He wishes everyone a Happy Thanksgiving.

Selectman Coye motions to enter nonpublic session under RSA 91-A:3, II (E) pending or threatened litigation. Seconded by Selectman Gifford.

Board Polled J. DeRoche = yes, B. Coye = yes, D. Britton = yes, J. Gifford = yes

Motion carries 4-0-0

Public Session ended at 7:49 p.m.

Public Session resumed at 7:57 p.m.

Selectman Gifford motions to seal the nonpublic minutes of November 21, session #1 as disclosure would have an adverse effect on reputation. Seconded by Chair DeRoche.

Board Polled J. DeRoche = yes, B. Coye = yes, D. Britton = yes, J. Gifford = yes

Motion carries 4-0-0

Selectman Britton motions to enter nonpublic session under RSA 91-A:3, II (A) public employee. Seconded by Selectman Gifford.

Board Polled J. DeRoche = yes, B. Coye = yes, D. Britton = yes, J. Gifford = yes

Motion carries 4-0-0

Public Session ended at 7:58 p.m.

Public Session resumed at 8:05 p.m.

***Selectman Gifford motions to seal the nonpublic minutes of November 21, session #2 as disclosure would have an adverse effect on reputation. Seconded by Selectman Coye. Board Polled J. DeRoche = yes, B. Coye = yes, D. Britton = yes, J. Gifford = yes
Motion carries 4-0-0***

As there is no further business before the Board, Chair DeRoche adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Beth Hossack,
Administrative Specialist