



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

PLAISTOW BOARD OF SELECTMEN MINUTES:

DATE: January 7, 2019

MEETING CALLED TO ORDER: 6:32pm

SELECTMEN:

Selectman, Julian Kiszka, Chairman	Selectman, Peter Bracci, Vice Chairman
Selectman, John Sherman	Selectman, Steve Ranlett
Selectwoman, Francine Hart	Mark Pearson, Town Manager
Greg Colby, Finance Director/Asst. Town Manager	

MINUTES

S. Ranlett motions to approve the minutes of December 17, 2018. Seconded by J. Sherman.

Discussion: P. Bracci states on page 4 about $\frac{3}{4}$ of the way down he does not agree with sentence regarding issues at the Fire Department. He states we cannot encumber funds unless we have a signed contract or a purchase order.

M. Pearson states that is true. We did have encumbrances for fireworks, impact fees and a master plan update.

G. Colby states the minutes reflect a statement he made in case funds did need to be encumbered for apparatus repairs between the date of the meeting (December 17, 2018) and the end of the year, December 31, 2018. However, money was not needed during that time.

Vote: 4-0-1 (abstain F. Hart)

Motion passes

PUBLIC COMMENT

None

INTRODUCTIONS OF THE INTERIM FIRE AND POLICE CHIEFS

M. Pearson introduces John Judson as Interim Fire Chief and Doug Mullin as Interim Police Chief.

J. Sherman welcomes them. He would like to know if the appointments are for a specific duration.

M. Pearson replies it will be the sooner of two (2) events:

1. Six (6) months
2. Selection of a permanent replacement

M. Pearson state the Fire Chief's notice of retirement preceded the Police Chief's notice and he will continue the search for a permanent Fire Chief first.

P. Bracci welcomes them. He would like to know their backgrounds and qualifications.

D. Mullin states he has been in law enforcement for over thirty-four (34) years. He was a Salem Police Officer for twenty-three (23) years in different departments including Detective, managing the evidence room and investigating criminal scenes. He also spent two (2) years as an undercover

officer and is State certified in Commercial Truck Enforcement. D. Mullin has had specialized training for investigating fatal accidents and is certified to do post-accident vehicle inspections to determine if any mechanical issues were at fault. In addition to law enforcement D. Mullin has a commercial pilots license and worked for some large companies. After retiring in Salem, he worked for the Atkinson Police Department for two (2) years and then went to work for the Hampstead Police Department in the evidence room. In October of 2018 he became the Emergency Management Director for Plaistow. Last week he was appointed Interim Police Chief for Plaistow. He is already working on improvements. He has ordered tasers for the Officers and will provide training on the use of them. Tourniquets have been ordered for all the Officers. All policies and procedures will be updated this year. He also changed the color of the tee shirts worn by Officers at night from gray to black.

F. Hart states he has made amazing progress in a short time. She welcomes both Chiefs.

S. Ranlett asks D. Mullin if he has any administrative experience.

D. Mullin replies, no. He had two (2) careers as an Officer and a Pilot leaving no time for administrative responsibilities.

John Judson states he has been in Firefighting for 37 years. He began his career at the age of eighteen years (18) old in Plaistow. He has moved up through the ranks as Lieutenant, Captain, and Deputy Chief which he has been for the past fifteen (15) years. In Plaistow he is a Call Firefighter. His full-time job is Fire Captain in the Salem Fire Department. He has worked in Salem for the past thirty-three (33) years. In Salem, he is in charge of the North Main Street Station. In addition to firefighting his responsibilities include budgeting and maintaining apparatus. With J. Judson's experience and the rest of the Plaistow staff the transition of a new chief will be seamless.

J. Kiszka mentions Chief McArdle was always the first person to arrive on scene. He wants to know if we will still have quick response times.

J. Judson replies, yes. During the day the first responder will be a full-time employee from the station often a Captain. During the night the first responder will be himself or Deputy Kennedy.

J. Sherman states he was also concerned about this and had mentioned it to M. Pearson as Chief McArdle was both the Fire Chief and a first responder. J. Sherman states the Fire and Police Chiefs were always very much a part of the community.

J. Judson states he is a fourth generation Firefighter. His son Aaron is a full time Firefighter for Plaistow making him the fifth generation. He has strong roots in the Plaistow Community.

P. Bracci asks while he is the Interim Fire Chief will he stay full time in Salem.

J. Judson replies, yes.

P. Bracci asks will he resign from Salem when he takes the job as Plaistow Fire Chief.

J. Judson replies, no. He will not be able to accept the permanent job. He is happy to fill in as interim but it is not the right time for him to leave Salem.

P. Bracci asks D. Mullin if he will be working full time as the Interim Police Chief.

D. Mullin states no. Since he is collecting NH retirement he is limited to 1664 hours per year. However, a full time Police Chief works about 1700 hours a year including time off. The difference is not significant. He states he lives in Salem and is only eight miles away (13 minutes).

S. Ranlett asks what the pay is for each Chief.

M. Pearson replies, J. Judson is at \$34.58/hour and D. Mullin is at \$40.00/hour.

S. Ranlett asks if D. Mullin will still receive the stipend for the Emergency Management Director.

M. Pearson replies, yes. It comes to about \$4.50/ hour so his total per hour comes to \$44.50.

S. Ranlett asks if we are considering hiring a part-time Police Chief.

M. Pearson replies, it is worth a discussion. We do not have any current part time officers. Perhaps we could allocate a full-time officer to street patrol and have a part time Chief. It would just be flipping the scale from a full time at top and a part time at the bottom to the part time at the top and the full time at the bottom. It may provide savings in the long run and could be done within the current budget.

J. Kiszka thanks both Chiefs for attending tonight and answering questions. We appear to be in good hands.

P. Bracci states prior to selecting permanent Chiefs he feels the Board should be informed as to who the person(s) are, compensation and why the selection was made.

M. Pearson states that happens now.

S. Ranlett states he would like the Board to have some input in the process.

J. Sherman states the Board should not have the full responsibility just input.

M. Pearson states he did his due diligence and it was not an easy process especially with the Fire Department. A lot of time went into his decisions.

P. Bracci states the Board of Selectmen as the governing body of Plaistow should have input on these two (2) important positions.

S. Ranlett asks if one of the Police Captains could have stepped up to the plate as Interim Chief similar to the Fire Department.

M. Pearson states he will defer to RSA 91-A:3 II (c) Matters of Reputation to have that discussion in non-public.

P. Bracci motions to enter non-public session under RSA 91-A:3 II (a) Personnel; (b) Hiring of a Public Employee; (c) Matters of Reputation; (d) Property Transactions (e) Negotiations and/or Legal.

S. Ranlett recommends waiting until later in the meeting.

SNOW REMOVAL POLICY

Dan Garlington, Highway Supervisor is present to answer questions.

P. Bracci asks if D. Garlington called in outside snow plow drivers on New Year's Eve. The snowfall was small and he wants to know the process.

D. Garlington replies, no. Town employees were the only ones working that night. Generally, he will get a call from the Police Department if they find the roads to be slippery. This happened on New Year's Eve. He called in his employees to have them salt the roads. Later in the night some parts of town had more snow and salting was not enough. D. Garlington asked his crew to plow some roads to get the black top showing. He states his decision is made by what he sees when he is out. Weather reports alone are not enough information.

P. Bracci wants to know the policy for sidewalks.

D. Garlington replies he was asked by the Town Manager to maintain all feasible sidewalks following a Board meeting in March of 2018.

M. Pearson states a copy of the minutes from that meeting is in tonight's folders.

P. Bracci asks when outside contractors are called in, how long of a time period is it for and is this written in the policy.

D. Garlington states there is a four-hour minimum and it is not written in the policy. Every contractor signs an agreement. The minimum time frame is part of the agreement. The Snow

Removal and Ice Control Policy is more of a plan than a policy. We do not always have to plow every street. It depends on the storm.

F. Hart asks if D. Garlington is the person responsible for making decisions regarding plowing.

D. Garlington states, yes often along with the foreman. He states sometimes the Town Manager is involved too. If we have a storm lasting a few days and his crew is working one-hundred (100) hours a week you must consider liability of tired employees vs. with slippery roads. Again, the process starts with a call from the Police Department. Last Saturday he received a call at 9:00pm. It is his responsibility to treat roads.

J. Kiszka asks about different techniques of salting. Some towns use rock salt while some used a brine solution that might be better for the roads. He wants to know if Plaistow is looking into new techniques for the future.

D. Garlington states brine is a science. It is expensive unless you make it yourself. If you pre-treat roads with brine you are creating moisture which can turn into ice. If you pre-treat with salt, the salt remains on the roads unless it is washed away by rain. He has taken classes on brine. It looks better on paper. For Plaistow to use brine we will need more and different equipment than what we currently have.

J. Kiszka asks if rock salt or brine is better for intersection as often our intersections are slick. In D. Garlington's opinion salt is better. He states he is always considering new techniques.

J. Sherman motions to approve the Snow Removal & Ice Control Policy 2019 as presented on January 7, 2019. Seconded by J. Kiszka.

Discussion: F. Hart asks if we could table this until next week. She would like more time to read it.

J. Sherman withdraws his motion.

J. Kiszka withdraws his second.

This will be an agenda item next week.

P. Bracci asks about the number of contractors we have in comparison to Atkinson.

D. Garlington states when he took over as supervisor we were understaffed. Plaistow has a lot of dead ends and cul-de-sacs. They are more work to plow and we need many contractors.

S. Ranlett states Plaistow does a great job and he is not concerned with other towns.

J. Sherman agrees.

HIGHWAY SAFETY COMMITTEE RECOMMENDATIONS - STREET LIGHTING & INTERIM CHAIR

J. Kiszka states at the last meeting Mike Dorman was elected as Interim Chair as both the Police Chief and Fire Chief (Chair and Vice-Chair, respectively) retired. At the next meeting a new Chair will be elected.

J. Kiszka mentioned the request for an additional street light at the intersection of Eugenia Lane and Smith Corner Road. Also, a previous request for additional street lighting at Village Way should be considered. J. Kiszka states changes will not be made until we know what the plan is for converting to LED Lighting.

Both S. Ranlett and F. Hart state street lighting falls under the responsibility of the Planning Board. S. Ranlett states once a site plan is recorded at the Registry of Deeds we cannot ask a contractor to add new lighting. It becomes the responsibility of the Town.

S. Ranlett motions to direct the Town Manager to add a Street Light to the intersection of Eugenia Lane and Smith Corner Road. Seconded by J. Sherman.

Discussion: J. Kiszka states this should be added to a list of lighting to be considered.

F. Hart states this should be added as a workshop as part of a Planning Board meeting.

S. Ranlett withdraws his motion.

J. Sherman withdraws his second.

WARRANT ARTICLE TO DISCONTINUE FIRE DEPARTMENT REVOLVING FUND

G. Colby reads the warrant article.

S. Ranlett motions to post article W, to Discontinue Rescue Vehicle and Emergency Medical Equipment Fund to the warrant. Seconded by J. Kiszka.

Discussion: The Voter's Guide should state the balance of the account is less than \$10.00. All agree.

Vote: 5-0-0

Motion passes

REVIEW WARRANT ARTICLES (NON-MONETARY)

The first article reviewed is X, Conversion to LED Street Lights. G. Colby states this warrant will give the Board authority to begin a project of changing to LED Street Lights with Unitil.

J. Sherman states the language of the article is confusing. He would like the Voter's Guide to show the chart that makes it easily understandable that money will not come from new taxation.

S. Ranlett motions to add article X, Conversion to LED Street Lights to the warrant. Seconded by J. Sherman.

Discussion: J. Sherman asks if the word "funded" in the third line down should be changed.

G. Colby replies the wording came from legal counsel and he thinks it should remain.

P. Bracci asks what will it cost the town to make the switch.

F. Hart states we are not increasing taxes. The savings we get on electric usage will be used to pay back the costs of conversion and the costs for the value of the current equipment. It is a good deal. The Energy Committee has been working on this project for two (2) years.

J. Sherman asks if the Budget Committee needs to vote on this.

G. Colby replies, tomorrow he will check with legal counsel and NHMA. The Budget Committee will vote tomorrow night if needed.

Vote: 4-0-1 (abstain P. Bracci)

Motion passes.

The next article reviewed is Y, Westville Road Bridge Replacement.

M. Pearson states this was advertised starting 1/2/19. Bids should come in on 1/25/19. We are at the mercy of the bidding contractors. If bids come in higher than the original figures we will need more funding. That is why we need this article. Any additional funding will be split with the State at the 80/20 percentage. We cannot plug in the numbers until the bids are received. We will have them in time for the deliberative session.

This article is a place holder for now. There is consensus amongst the Board to leave it as is. All warrant articles are reviewed by DRA before printing.

P. Bracci states any project with an 80/20 split must be paid by the Town up front.
M. Pearson agrees and mentions the State is reimbursing quickly.

S. Ranlett motions to add article Y, Westville Road Bridge Replacement to the warrant without numbers at this time. Seconded by F. Hart.

Vote: 4-0-1 (abstain J. Sherman)

Motion passes.

The next article reviewed is Z, Elderly and Disabled Asset Limit.

S. Ranlett motions to add article Z, Elderly and Disabled Asset Limit to the warrant. Seconded by J. Sherman.

Vote: 5-0-0

Motion passes

The next article reviewed is AA, Water Department Truck.

G. Colby explains the article. We have a truck for the Water Department, 2015 F-350 that was purchased in 2014 for \$50,000.00. It is rarely used. The goal is to split the use of the truck 50/50 between the Water and Highway Departments. It requires a withdrawal of \$12,500 from the Highway Department Capital Reserve Fund to deposit into the Water User Fee Fund.

J. Sherman motions to recommend article AA, Water Department Truck be added to the warrant along with the chart that shows no money will come from new taxation. Seconded by S. Ranlett.

Vote: 5-0-0

Motion passes

M. Pearson states there is one (1) more article to discuss tonight. It is article D, CBA - Town Unit. It is currently a place holder. He has worked on contract negotiations which will be discussed in a non-public session tonight.

There is consensus amongst the Board to postpone discussion of the Voter's Guide until next meeting.

S. Ranlett motions to enter non-public session under 91-A:3 II (a) Personnel; (b) Hiring of a Public Employee; (c) Matters of Reputation; (d) Property Transactions; (e) Negotiations and or Legal. Seconded by J. Sherman.

Board Polled: J. Kiszka = yes, P. Bracci = no, J. Sherman = yes, S. Ranlett = yes, F. Hart = yes.

Motion passes

J. Kiszka states they will come back into a public session and state any decision made.

Exited public session at 8:14pm.

Resumed public session at 8:40pm.

J. Kiszka states a tentative agreement was reached between Town of Plaistow and Plaistow Employees Local 633.

J. Sherman motions to approve the tentative agreement between Town of Plaistow and Plaistow Employees Local 633 dated January 7, 2019. Seconded by S. Ranlett.

Vote: 4-1-0 (no P. Bracci)

Motion passes

S. Ranlett motions to recommend article D, CBA – Town Unit to be posted to the warrant.

Seconded by J. Sherman.

Vote: 4-1-0 (no P. Bracci)

Motion passes

TOWN MANAGERS REPORT

There is agreement amongst the Board to forgo this portion of the meeting tonight except for an update on potable water.

M. Pearson states there are three (3) packets of information in the folders. Two (2) are for Weston & Sampson and the third is a draft agreement of the Southern New Hampshire Regional Water Interconnection Project. A cost study has been done and we know the projected cost for water will be \$3.59 per 100 cubic feet when it reaches Plaistow. This is favorable. Plaistow will only need to add an operations fee and maybe a capital improvement cost. The next recommended steps are to draft a Water Ordinance and send out RFP's for Operations.

J. Sherman motions to direct the Town Manager to draft a Water Ordinance and send out RFP's for Operations. Seconded by F. Hart.

Discussion: S. Ranlett asks if Plaistow will become a water utility.

M. Pearson states no, the Board of Selectmen are the Water Commissioners. A water utility is subject to regulation by the PUC (Public Utilities Commission) however a town is not subject to their regulation unless they export water out. M. Pearson is unaware of any plans for Plaistow to export water.

Vote: 5-0-0

Motion passes

S. Ranlett motions to have F. Hart become the Selectmen's Representative to the Planning Board and he will become the Alternate Representative. Seconded by J. Sherman.

Vote: 5-0-0

Motion passes

ACTION ITEMS

Not Reviewed tonight.

NEW BUSINESS

P. Bracci questions warrant article A, Operating Budget. He wants to know why the default budget is higher than the operating budget. He wants a workshop held to explain it.

M. Pearson state the default budget is about \$20,000 higher than the 2019 presented budget. With a 9 ½ million-dollar budget the \$20,000 delta is less than ½ of 1% of the budget. The short reason

for the default budget being higher is that it is based on a formula allowing for some difference of opinion.

F. Hart states she sat with G. Colby and went through the default budget line by line so she could understand it. She is happy to share the information with P. Bracci.

P. Bracci decides he will sit with G. Colby himself.

SIGNATURE FOLDER

J. Kiszka states the manifest is going around. There is no signature folder tonight.

SELECTMEN'S REPORTS

Not discussed tonight.

S. Ranlett motions to enter non-public session under RSA 91-A:3 II (a) Personnel; (b) Hiring of a Public Employee; (c) Matters of Reputation; (d) Property Transactions (e) Negotiations and/or Legal. Seconded by J. Sherman.

Discussion: P. Bracci does not think we can enter non-public without the consent of the person.

S. Ranlett asks, can questions be answered without stating names?

P. Bracci still does not agree.

S. Ranlett states an email was sent to the Board from the Town Manager stating the previous Fire Chief left a good chain of command. The next man up became the Interim Chief. He wants to know why the same reasoning was not used with the Police Department.

M. Pearson states the decision was complex and he does not feel comfortable discussing this in public.

S. Ranlett withdraws his motion.

J. Sherman withdraws his second.

J. Kiszka adjourned the meeting at 9:10pm

Respectfully submitted,

Beth Hossack,
Recording Secretary