



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

**PLAISTOW BOARD OF SELECTMEN MINUTES**

**DATE:** May 18, 2020

**MEETING CALLED TO ORDER:** 6:30 p.m.

**SELECTMEN:**

Selectwoman, Francine Hart, Chairman  
Selectman, Julian Kiszka  
Selectman, Jay DeRoche

Selectman, Greg Taillon, Vice Chairman  
Selectman, John A. Blinn, Sr.  
Mark Pearson, Town Manager - Remotely

*G. Taillon motions to approve the minutes of April 20, 2020. Seconded by J. DeRoche.*

*Vote: 5-0-0*

*Motion carries*

**PUBLIC HEARING TO CONSIDER A GOFERR CORONAVIRUS RELIEF FUND  
GRANT UP TO THE AMOUNT OF \$182,997.00**

F. Hart opens the Public Hearing at 6:33 p.m. She asks Town Manager, Mark Pearson to speak about the grant. M. Pearson states the grant is based on population and Plaistow is eligible for up to \$182,997.00. The grant is for expenses incurred due to the public health emergency with respect to the Coronavirus Disease 2019, known as COVID-19. It does not need to be repaid. A public hearing to accept the grant is required under NH RSA 31:95-b.

F. Hart asks if anyone from the public would like to speak.

Bob Hamilton, 3 Balsam Way is curious if there is a time limit for the grant or will it extend into the future.

M. Pearson replies, the time frame for this phase is March 1 – August 30, 2020. There will be two (2) more phases with the last phase ending on December 31, 2020. The grant cannot be used for a short fall in revenues. If some of the allocated funds are not used, they will go into a fund to be used later if need be.

There are no other questions or comments.

F. Hart closes the public hearing at 6:37p.m.

*G. Taillon motions to accept grant money of up to \$182,997.00 from the State of New Hampshire. The grant is known as the Governor's Office for Emergency Relief and Recovery (GOFERR) Coronavirus Relief Fund Grant. The money will be used for expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19). Seconded by J. Kiszka.*

**Vote: 5-0-0**  
**Motion carries**

**PUBLIC COMMENT**

None.

**ACCEPTANCE AND EXPENDITURE OF A CARES ACT GIFT OR GRANT**

M. Pearson explains the State of New Hampshire has authorized grants to allow municipalities to give stipends to first responders due to COVID-19. Generally, grants over \$10,000.00 require a public hearing for acceptance. However, RSA 21-P:43 states that gifts, grants, or loans for emergency management purposes may be accepted by the Select Board without the requirement of a public hearing. The grant will enhance a first responders pay. Full-time first responders in Plaistow will received a stipend of \$300.00 per week while part-time first responders will receive \$150.00 per week. The program is voluntary, and municipalities do not have to participate. Also, a first responder does not have to accept the stipend. The grant money may be used for costs related to over-time wages and other ancillary costs due to COVID-19 issues. The grant does not have to be paid back. It does not increase the amount paid to NH Retirement. Tonight, the Board may accept the first payment of up to \$75,000.

J. Blinn asks if first responders have to pay taxes on the stipend.

M. Pearson replies, yes.

J. Kiszka asks if the stipend will increase any benefits to first responders.

M. Pearson replies, no.

***J. Kiszka motions to accept and expend up to \$75,000.00 under the State of NH – First Responder Stipend Program. This is allowable under RSA 21-P:43. Seconded by J. Blinn.***

**Vote: 5-0-0**

**Motion carries**

**CONSTRUCTION OVERSIGHT AT P.A.R.C.**

Jim Hanley, P. E. Civil Design Consultants, Inc./SEC & Associates (CDCI/SEC) has joined tonight's meeting remotely. He has been involved in the P.A.R.C. project for the past 6-9 months. CDCI/SEC has proposed to provide construction oversight for the multi-project to be done at P.A.R.C. The total cost is approximately \$10,000.00.

F. Hart agrees with the professional services in task 3, construction administration yet she has concerns with tasks 1 and 2. The project description "improvements at P.A.R.C." seems to vanilla.

J. Hanley states he could dress it up and refer to actual plans. Task 1 is construction control and includes a site survey.

F. Hart states a site survey was done in October 2019 and she is not sure it needs to be done again.

J. Hanley states the site survey will provide control points for the contractor. To help the contractor lay out the project. It is a big project and requires a lot of grade changes. It will give the contractor the baseline.

F. Hart asks if that happens before or after the acceptance of bids.

J. Hanley replies after. There will be a pre-construction meeting for potential bidders. He states task 2 is the bidding services.

F. Hart asks if we send a Request for Proposal (RFP) would that suffice?

J. Hanley states Dee Voss works with his office frequently when preparing RFP's. CDCI/SEC helps to facilitate the RFP and keep the process moving.

M. Pearson agrees he is comfortable hiring CDCI/SEC for the construction oversight work. They will be the eyes and ears of the project and make sure the contractor builds it correctly. It is like insurance; they provide the checks and balances. They will make sure the specific grades; installation of material and installation of drainage are all done correctly. We do not want to have to revisit this in a year or two (2) due to errors.

***G. Taillon motions to approve the Agreement for Professional Services provided by CDCI/SEC estimated as: task 1 \$1200.00, task 2 \$3600.00 and task 3 \$5200.00 for a total estimate of \$10,000.00. Seconded by J. DeRoche.***

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

***Motion carries***

### **ELECTED TOWN AUDITORS**

F. Hart invites Mr. Bracci and Mr. Hamilton to speak.

Mr. Bracci, 2 Balsam Way thanks the Board for allowing the elected auditors to make a presentation regarding their finding of the 2019 encumbrances. Mr. Bracci briefly reviews the Board of Selectmen's Encumbrance Policy along with RSA 32:7. The 2019 encumbrances have been numbered as follows:

1. Water/Well/Testing
2. Software/Mics
3. Base Radio
4. Cruiser Laptops
5. Body Armor
6. Tree Removal
7. Drainage Improvements
8. Pavement Marking
9. Town Hall Painting/Repairs
10. Town Hall Repairs/Carpeting
11. Master Plan Update

The elected auditors believe the Board did not follow the encumbrance policy as the 2019 proposed encumbrances were not reviewed by Mr. Hamilton (elected auditor for 2019). The auditors agree that items 1, 6, 8, 9, and 10 (listed above) have been correctly encumbered. They agree with reservations items 3, 4, 5, and 7. They believe items 2 and 11 are not acceptable. The reason for not agreeing with item 2 is there is no contract or obligation, no backup information, no indication of what it is and no known vendor. The vendor is listed as "to be determined (TBD)." They believe the full \$2500.00 should be returned to the general fund. Mr. Bracci states they do not agree with item 11 because the Board of Selectmen, Town Manager and Planning Department failed to follow RSA 32:7. He also states the contract was not signed until June. The only amount that should be encumbered is \$3854.99. The remaining \$3395.00 should be returned to the general fund. The auditors also would like the encumbrance policy to be amended stating the list of potential encumbrances will be given to the elected town auditor(s) and the Board of Selectmen one (1) week prior to the last Board meeting of the year.

Mr. Bracci turns the rest of the presentation over to Mr. Hamilton.

Mr. Hamilton summarizes their findings. He states surplus funds at year end go back to the general fund. The Board of Selectmen are responsible to encumber funds allowed under RSA 32:7. He refers to contractually encumbered funds from page 41 of the Basic Law of Budgeting Book. Planning to spend money is not enough to encumber funds. There must be a legal, enforceable obligation to pay for a service or a product. It cannot be an anticipated need. Mr. Hamilton believes funding for Self-Contained Breathing Apparatus (SCBA) gear was unencumbered since there was no legally enforceable agreement. He reiterates the amount of funds to encumber for item 11, Master Plan Update should only be \$3854.99. A purchase order can be used in place of a contract if a vendor is named and an agreed upon price is included. Again, they want a potential list of encumbrances to be provided to the elected town auditor(s) and the Board of Selectmen one week prior to the last meeting.

### **ANNOUNCEMENT OF ARBOR DAY POSTER AND POEM CONTEST WINNERS**

J. DeRoche states the poster winners are as follows:

- Grade 1 – Tyler Fielding
- Grade 2 - Nathan Simone
- Grade 3 - Cheyanne Mitchell
- Grade 4 – Brooke Whiteside
- Grade 5 – Anabell Wade

The posters are displayed on cable TV.

J. DeRoche states the fifth-grade poem contest winners are:

- First Place – Shaun Ingram
- Second Place - Travis Barker
- Third Place – Cole Ouellette

J. DeRoche reads the poems. He congratulates all the students who participated, especially the winners.

### **PROPERTY TAX DISCUSSION**

F. Hart states she has heard some concerns from citizens who have seen strange people in yards and neighborhoods. They are assessing workers from Visions. The workers are working on a values-a-new for the whole town. All properties will be listed and measured. They are only working outdoors, and they carry identification.

J. DeRoche asks when the process will be done.

F. Hart replies it may go into November. The Board will get an update and report in July.

J. Kiszka asks if commercial properties will be included.

F. Hart replies yes. Tax bills will be going out on June 1. This will be the last bill from the old software system. The fall bill will be done with Visions software and we are hoping to capture better information. By New Hampshire State law a revaluation must be completed at least once every five (5) years. F. Hart states if any resident is experiencing a financial hardship reach out to the Board of Selectmen. Their contact information is on the website. Financial hardship cases will be considered on a case by case basis.

G. Taillon asks if we will get information on market prices going up or down.

F. Hart replies that will be included in July's report.

### **SELECT CONTRACTOR FOR THE SALT SHED**

G. Taillon asks why there is such a large difference between the two (2) bids we received.

M. Pearson replies, it was a sealed bid process. Contractors submit what they want. It is not uncommon for big variances in the process. It happened on the Public Works Facility too.

J. Kiszka states rust proofing is only included in one (1) bid.

M. Pearson replies it was not supposed to be included in bids. Irishspan identified it while P & G left it off. M. Pearson states salt sheds are generally built from wood. The reason Plaistow chose metal is to allow for solar panels requested by the Energy Committee. He states he researched a way to cover the metal to prevent rusting. This can be done by using impervious foam insulation. The floor will be concrete covered with plywood. Rustproofing will come from money passed in the warrant article.

J. Kiszka asks if we will use spay foam insulation.

M. Pearson replies yes, it is a better option.

J. Kiszka asks when the RFP for solar panels will go out.

F. Hart states it is ready to go however we will wait until the structures gets started.

J. Kiszka states when it is built, we should make sure it will last.

J. DeRoche asks what the difference in lifespan is between foam vs. galvanized coating on steel.

M. Pearson replies impervious foam lasts a very long time. Like concrete it lasts hundreds of years.

J. DeRoche asks if we have an estimate on foam.

M. Pearson replies they vary from low to medium to high. If the Board goes with the \$208,000.00 quote, we will have about \$67,000.00 to do the spray foam, electrical conduit, and paving.

***G. Taillon motions to award the construction of the salt shed to P & G Construction for the proposed price of \$208,000.00 Seconded by J. Kiszka.***

***Vote: 5-0-0***

***Motion carries***

### **SELECT CONTRACTOR FOR THE POLLARD ROAD CULVERT**

M. Pearson states Dee Voss prepared a memo and a spreadsheet with all the bids. Two (2) low bids have been identified. The low bids are very similar. Dee did research and due diligence requesting recommendations and a list of similar projects from both low bidders. The Town is not obligated to accept the lowest bid. Dee recommends A.N. Whipple Construction, Inc.

F. Hart states the ARM Grant is for \$85,000.00 and the warrant article is for \$90,000.00. She is concerned there is still a short fall and wants to know where the money will come from.

M. Pearson asks the Board to move onto the next agenda item while he does some research.

### **FINALIZE ROCKINGHAM PLANNING COMMISSION (RPC) ELECTRICITY AGGREGATION**

F. Hart states the current electric supplier we have automatically renews every year and she does not agree with automatic renewal. Also, she would like the Town to have the opportunity to save money on electricity. The current contract's renewal date is June 1, 2020 and it has been cancelled. We must find a new supplier soon. She recommends going with RPC. We pay them annual dues and they are able to get a good rate as they have many towns using their aggregation plan. Next year we may want to do the same with our gas supplier.

***G. Taillon motions to direct the Town Manager to enter into an agreement with the Regional Planning Commission (RPC) for the purpose of engaging in electrical aggregation for the Town of Plaistow including the termination from our previous contract. Seconded by J. Kiszka.***

***Vote: 5-0-0***  
***Motion carries***

### **UPDATE PUBLIC COMMENT POLICY**

F. Hart states J. Kiszka provided a form for the public to use for agenda items and a draft policy. She also sent a draft policy to the Board. She opens the floor for discussion.

J. DeRoche questions if limiting people to speak only to agenda items is fair. People have multiple avenues of addressing issues. They can call Town Hall, call the Town Manager, or contact one or more selectmen. However, if someone chooses to speak during public comment, he thinks it should be allowed even if it is a subject not on the agenda.

G. Taillon states people have a right to attend meetings, not a right to speak. However, if the right to speak is given there should be specific rules in place. The goal of a Board meeting is to conduct business of the Town. He thinks the process of contacting the Town Manager to put an item on the agenda is good. Someone should not show up at a meeting and demand to be heard.

J. DeRoche states he understands yet if we allow time for public comment, we should let people speak no matter what the subject is. It does not have to be a back and forth dialogue. If public comment is the venue a person chooses, let them speak.

F. Hart asks J. DeRoche if he disagrees with a person asking to be on the agenda.

J. DeRoche doesn't disagree however he also does not think a person should be restricted from speaking during public comment.

J. Kiszka states both points are correct. Order needs to be maintained in a meeting to conduct town business however once you open the door to public comment people should not be restricted to subject matter. If someone wants to get on an agenda and it is disallowed at the agenda setting meeting other selectmen should know about it. That is the purpose of the form. A majority vote of the board would be required to reject an item from being put on an agenda. If an item is rejected the other selectmen should be told about it and they can agree to reject it or accept it.

F. Hart states three (3) people create the agenda. The Chair, Vice-Chair, and the Town Manager. Often a subject is not disallowed it is just moved to a different agenda as the current agenda may be full. If they do not allow a subject as an agenda item, in her opinion creating a policy is not necessary. A motion on the floor to allow the item on a future agenda is all that is needed. A policy may be restrictive and redundant. She thinks the last sentence from J. Kiszka's draft should be removed.

J. Kiszka wants all selectmen to be aware of any requested agenda items that are denied. In the past, it has been brought to his attention by citizens that they were denied an agenda item.

G. Taillon believes the three (3) adults creating the agenda in order of priority works well. If a requested item is not put on an agenda the Chair will email the Board to let them know.

J. Blinn agrees with J. Kiszka, as Selectmen they all should know of items not selected for an agenda. He too has had citizens tell him they tried to get an item on the agenda and were denied. It makes the Selectmen look they do not know what is going on. He agrees that people should have a place to voice their opinion even if the subject is not on the agenda. He agrees with the form presented by J. Kiszka.

F. Hart states the Board agrees with the form. Her disagreement is the last sentence of J. Kiszka's draft. People have been given the parameters and an opportunity. She does not think it is wise to tie future Boards and Chairs in all the small minutia.

J. Kiszka states the last sentence prevents a subject from being denied without all selectmen being involved.

G. Taillon thinks the shorter draft says it all.

J. DeRoche likes the shorter version. He re-read it and believes it encompasses most of what J. Kiszka is trying to accomplish. He agrees with the request form and suggests removing the last section of the form.

***G. Taillon motions to accept the shorter version and include the request form presented by J. Kiszka without the approval section on the bottom. Seconded by J. DeRoche.***

***Vote: 3-2-0 (no J. Kiszka and J. Blinn)***

***Motion carries***

**SELECT CONTRACTOR FOR THE POLLARD ROAD CULVERT** - continued from page 5  
M. Pearson states there are enough funds for the Pollard Road Culvert. The full amount of the ARM grant is \$135,000.00 Approximately \$10,000.00 has been spent. With the \$90,000.00 from the approved warrant article and the remaining ARM Grant money we will have close to \$18,000.00 surplus.

***J. DeRoche motions to award the Pollard Road Culvert Reconstruction Project to A.N. Whipple Construction in the proposed amount of \$190,948.00. Seconded by G. Taillon.***

***Vote: 5-0-0***

***Motion carries***

### **DISCUSS NO PARKING SIGNAGE ON ROUTE 121A NEAR THE TOWN FOREST**

Jill Senter, Chair of the Conservation Commission contacted Mark requesting signage be posted near the Town Forest on both sides of Route 121A. The parking lot often fills quickly, and cars have been parking on both sides of the narrow road. M. Pearson contacted the State of New Hampshire to inquire about signs. He would like to know the Boards preference on permanent or temporary signage.

J. Blinn states he thinks permanent signage is better.

J. DeRoche agrees with J. Blinn. He states that section of the road is a safety hazard.

G. Taillon states permanent signage should be the goal however we should start with temporary if it is faster.

J. Kiszka agrees with permanent signage and agrees to start with whatever is quicker to get. He asks how long it will take to get permanent signs.

M. Pearson states he thinks it will take a long time for permanent signs.

There is consensus amongst the Board to go with temporary, enforceable signage first while pursuing permanent signage.

### **TOWN MANAGERS REPORT**

F. Hart states we will forego the Town Managers Report tonight.

### **OTHER BUSINESS**

F. Hart states it is with sadness and regret the Town will not hold a Memorial Day Parade and Ceremony this year. She will ask Dean Zanello to play last year's event on cable TV.

F. Hart states the last two (2) meetings have been long. She wants to know if the Board would like to return to holding meetings every other week. Everyone agrees. The next meeting will be held on June 1.

### **TAX ANTICIPATION NOTE (TAN) DISCUSSION**

M. Pearson states Greg Colby, Finance Director checked with the bank and they are willing to increase our line of credit from 2.5 million to 5 million. To do this the Board must agree with a valid motion. It will then go through legal counsel. M. Pearson and G. Colby requested the change in case it is needed.

J. DeRoche asks if we have used any of it yet.

M. Pearson replies yes. It has been used for short intervals to bridge cash flow. There are two (2) critical times during the year when we may need it. Those time are June/July and November/December. We have not incurred interest yet. If we do, the interest can be deducted as a valid COVID-19 expense.

***G. Taillon motions to allow the Town Manager and Finance Director to increase the Town's Tax Anticipation Note (TAN) to 5 million. Seconded by J. Blinn.***

***Vote: 5-0-0***

***Motion carries.***

J. DeRoche asks if the 2.5 million is already activated.

M. Pearson replies, yes. It will be about a two-week process for the bank to activate another 2.5 million. We may not need it however it is better to have it and not need it than to need it and not have it. It has never been used until this month.

### **SELECTMEN'S REPORTS**

J. DeRoche

- Attended two (2) Recreation Commission Meetings – new Officers were elected, an RFP for the fields was discussed, Boy Scout Troop 18 may assist with some of the trail work and bridges. The Summer Rec. Program has not been confirmed yet, the crack at the Wall-Ball Court at Ingalls will be looked at. Some residents have been reaching out to Seniors, the Easter Bunny Parade was a big hit, interviews have been held with potential Rec Counselors, they are working with Library staff to try to hold a movie night, a new date will be set for Plaistow Pride Day. It will be coordinated with the Scouts.

G. Taillon

- There is a good resource for Town Reports on the UNH Digital Library. Reports that are found at UNH and not on the Town's website will be added giving us a more complete set. He will work on a system to easily pull out MS-7 and MS-737.
- Researched Town Budgets from 2011 – 2020 and created a chart based on 2020 dollars. He would like the Board to review it.

J. Blinn

- Attended the recent OHD Committee Meetings – The event has been cancelled this year. However, they will hold tow (2) contests on June 14. The details will be on the website. They are looking into holding the fireworks in the fall.



J. Kiszka

- Attended the OHD virtual meetings.
- Attended the RPC Meeting. It was the first remote RPC meeting. The focus was on transportation infrastructure funding.

F. Hart – nothing to report.

J. Kiszka asks about the status of the Town Hall LED conversion project and the cross walks. M. Pearson replies, he is not aware of the crosswalk lights. He suggests checking with Dee Voss. The contractor for the Town Hall conversion was ready to start however Mark made the decision to put the project on hold. He does not want to have them in the building yet. He wants to be cautious with who comes into the building. Town Hall does not have a large staff and his focus is to keep employees safe.

J. Kiszka ask if other Town Committees have the ability to hold remote meetings.

M. Pearson replies, yes. Dean Zanello oversees the remote setup. We have purchased some new equipment to allow for such meeting. The equipment will qualify for reimbursement.

M. Pearson states the Police Department is cleaning out the evidence room. Some evidence, especially for closed cases may be sold. The Board has the jurisdiction to do this. M. would like to know if the Board is in favor of going through a clearing house or an auction group such as St. Jean's Auctioneer's. Funds received will go to the Town's General Fund, Unassigned Fund Balance.

***J. DeRoche motions to direct the Town Manager to allow the Police Department to dispose/sell items from the evidence room with St. Jean's Auctioneer's. Seconded by G. Taillon.***

***Discussion: J. Kiszka wants to make sure this is approved by the court and such items do not have to be returned.***

***M. Pearson replies, absolutely.***

***Vote: 5-0-0***

***Motion carries***

M. Pearson updates the Board on the antenna at the Safety Complex. When new equipment was being installed a crack was discovered. The antenna will have to be repaired or replaced. He will bring a solution back to the Board with a cost. The funds will come from the unanticipated account.

J. Kiszka mentions an email the Board received from Mr. Fellow's. He was glad to hear that Mr. Fellow's agrees with Mr. DeNutte's findings regarding the communication system.

F. Hart adjourned the meeting at 9:02 p.m.

Respectfully submitted,

Beth Hossack,  
Recording Secretary