



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

PLAISTOW BOARD OF SELECTMEN MINUTES:

DATE: December 9, 2013

MEETING CALLED TO ORDER: 6:33 PM

SELECTMEN:

Chairman, Robert Gray

Selectman, Michelle Curran

Selectman, Daniel Poliquin, arrived 6:39 PM

Vice Chairman, John Sherman

Selectman, Joyce Ingerson

Town Manager, Sean Fitzgerald

AGENDA:

MINUTES:

Motion by J. Sherman to approve the Minutes of December 2nd 1 correction on page 3, sentence ending with 5 specific drainage issues, should continue to say; that perhaps should be part of the Highway Dept. Budget.

2nd M. Curran

Vote: 4-0-0

Motion passes.

PUBLIC COMMENT:

R. Jeffery speaks regarding the Anniversary of the Bombing of Pearl Harbor Dec. 7th 1941. On this 77th Anniversary I want to point out that we have a Pearl Harbor veteran, William Hallahan. Let's not forget these veterans.

RECREATION PRESENTATION ARTICLES P-14-28 & P-14-29 – CHRISTINA CRUZ

C. Cruz speaks regarding The Recreation Capital Reserve Fund and presents information. The Recreation Department is working for all residents of all ages and generations. The Capital Reserve Fund will bring balance, providing more recreational facilities and more land space. This is recommended by the Plaistow First Committee as a high priority. The Capital Reserve Fund would provide encouragement of long-term use, maintenance, and improvement of existing recreational facilities. The Strategic Plan includes recreation projects, providing low cost no cost opportunities for families to recreate in Plaistow.

The current recreational assets are reviewed including; PARC, Ingalls, Pollard School. The Assessment/Project Listing includes; Running/Hiking Trails, Climbing Wall, Adult Fitness Park that includes Circuit Training, additional Baseball/Softball Diamonds, enhancement of Pollard School fields, Community Garden Space, Dog Park, Splash Park, Community Life Center, and more. Estimated impact of the Capital Reserve Fund is \$0.12 per/\$1000.00 or \$12.00 per/\$100,000.00 which is \$29-\$30.00 impact.

R. Gray inquires whether it would be a one-time deposit, or additional years going forward.

C. Cruz responds that the establishment of the Capital Reserve F would be an initial deposit of \$100,000.00 and several years of deposits following.

S. Fitzgerald states we are looking to support recreation and the projects.

D. Poliquin states he has a recommendation, to remove any reference to the Beede property. That would not be something the town would like to take over.

J. Sherman states it is part of the reuse plan.

M. Curran 2nd the recommendation. Stating that the Beede property's usability is questionable. It is still a hazardous waste area, but likes the great ideas these need to be presented as possibilities not as projects that are ready to begin.

D. Poliquin states he is for the maintenance of the current investments and would like to have a plan for these listed projects. The town owns other properties that may be a better fit than Beede.

J. Ingerson states the Beede site is not the location. The projects are good ideas.

J. Sherman states that the presentation should be updated without the reference to Beede site. The spreadsheet should be reviewed further regarding the costs of the projects. The official reuse plan is on file and we ought to be consistent with it. That plan included a Community Center and some baseball fields.

R. Gray states he is in favor of the Capital Reserve Fund, but not necessarily the amount that is being requested. There are other infrastructure projects that need to be addressed. Looking for a balance that can be supported.

M. Curran states we do not own the property at this time and may never take it. We should not make any assumptions regarding that site. Also the skateboard park project was put on hold before this past year.

S. Fitzgerald states he has had conversations with the YMCA regarding some project potential as far as skateboard park and dog parks.

RSA 80:80 III PRESENTATION – TAX COLLECTOR ROSE BAYEK:

R. Bayek speaks regarding the RSA 80:80III proposal. At the Tax Collectors conference DRA stated it is for deeded property that you want to sell, it is recommended to be on the warrant.

S. Fitzgerald refers to the Town Manager report sample language "Shall the Town adopt the provisions of RSA 80:80 III, to authorize the Plaistow Board of Selectmen to dispose of tax Deeded Property, as justice may require, indefinitely or until rescinded?" This is specifically for property that is in tax default for 3 years that is deeded.

R. Bayek states that if the Board sells property without this being adopted they can come back and say it was not legal.

S. Fitzgerald speaks regarding situations where a residential property that the town has taken maybe subject to other entities such as banks filing suits, this in effect protects the town from litigation.

D. Poliquin states the previous RSA states that the town has to hold the property for 3 years, prior to 3 years the town can sell it but the town may have to pay the previous owner the portion of the proceeds that was not owed to the Town.

What is the difference between the old and new RSA?

R. Bayek states that RSA 80:80 section 3 is pertaining to giving the Selectmen specific authority to buy and sell the property. This RSA has been in place, we have not voted on it up to this point.

R. Gray speaks stating “Shall the Town adopt the provisions of RSA 80:80 III, to authorize the Plaistow Board of Selectmen to dispose of tax Deeded Property, as justice may require, indefinitely or until rescinded?” The intent is this warrant allows the Plaistow Board of Selectmen to dispose of (sell) property that the town has taken due to failure to pay Town owed property taxes.

Discussion occurs.

Motion by J. Sherman to authorize the warrant to adopt the provision as worded.

2nd J. Ingerson

Vote: 5-0-0

Motion passes.

DONATIONS TO THE TOWN – CHIEF SAVAGE

- \$2,450.00 – W. Bartlett
- \$2,300.00 – Freshwater Farms

Chief Savage states that phases of the project at the range have been elapsing. We were approached by Steve Lewis about a landscaping plan. Being unable to complete the project himself, W. Bartlett and Fresh Water Farms asked to complete the project that he had wanted to do. The amount was provided to S. Fitzgerald and is completed now. Busby construction has offered to donate some cement and ground fill and grading, costing between \$4,500 and \$4,900.

S. Fitzgerald inquires with the Board after being provided this information whether the donation can be accepted. He also states that the ground work will be beneficial due to the high water table and the likely probability of flooding. This will help with the groundwater protection of the area given the nature of the exposure to spent ammunition.

Chief Savage continues discussing concrete berms offering a level of sound protection.

M. Curran inquires regarding the landscape plan that has been referred to but not been shown to the Board. We would like to see the plan to help conceptualize the improvements. What is the estimated cost of the highway labor that would be involved?

S. Fitzgerald recommends that this be approved. As an “As built Plan” that can be provided to the Planning Board and then to the Board of Selectmen that will feature metes and bounds.

Chief Savage continues there is also Eagle Scout project with flag pole installation and picnic tables.

Motion by J. Sherman to accept the donation from Busby up to 5000.00 for work as detailed in the Town Manager's Report of December 9th.

2nd D. Poliquin

Vote: 4-1-0 (M. Curran = nay)

Motion passes.

J. Sherman inquires whether there is an estimated date of dedication for this range.

Chief Savage states probably in the spring.

Motion by J. Sherman to go into Non Public under RSA 91-A:3 II (c) Reputation (e) Legal.

2nd by D. Poliquin

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

Non-Public began 7:34 pm.

Public Session resumes 8:04 pm

REVIEW OF 2014 PROPOSED BUDGET

R. Gray has a proposed change to the Planning Board Budget. An update to the impact fee schedule, we currently have \$2,000.00. I have asked for justification as to why they needed more money for that line. That was provided to me. Based on the recreation fee update, which we have signed an agreement this year to do. This is the update to the 1999 recreation fee the cost was at \$120.00 per hour for 40 hours up \$4800.00 plus a \$200.00 contingency which is \$5,000.00. The impact fee, is about \$6500.00. A proposal made by Bruce Mayberry based upon RFP, in which only two consultants responded. Next year we would like to update the school impact fee schedule at least \$5000.00 asking for increase of the line item. Recommending an increase of \$3000.00 for a total of \$83,933.00.

S. Fitzgerald comments that he is working with Mr. Fougere to strategically align the projects and tasks to work with the impact fees and Master plan budgets.

R. Gray the money encumbered is already assigned. Asking to increase next year's budget by \$3000.00.

S. Fitzgerald states the money is allocated. The transportation chapter is something that can be wrapped up.

J. Sherman asks to review the information. \$2,000.00, budgeted in 2013 is not enough. The \$5000.00 is the increase to cover the shortage on the impact fees and the Master plan. Right now the impact fees haven't been assessed. The original plan was to update the Master plan in house. It is important to get the impact fees updated and the master plan updated.

Motion by J. Sherman increase the Planning Board Budget by \$3000.00. Adding \$3000.00 to the impact fee update line.

2nd J. Ingerson

Vote: 5-0-0

Motion passes.

S. Fitzgerald states he has a change to recommend increasing the Plumbing and Electrical Inspection lines by \$7000.00 each, therefore increasing the lines 1-4240-40-308 Plumbing Consultant and 1-4240-40-309 Electrical Consultant to \$7,000.00 each, bringing the revised bottom line of the Building Inspection to \$113,580.00.

Discussion occurs regarding the increase and taxation.

Motion by J. Sherman to increase the lines 1-4240-40-308 Plumbing Consultant and 1-4240-40-309 Electrical Consultant to \$7000.00 each, bringing the revised bottom line of the Building Inspection Budget \$113,580.00.

2nd R. Gray

Vote: 4-1-0 (D. Poliquin=nay)

Motion passes.

M. Curran inquires regarding the dates of the documents included in the packet of information regarding the Sad Café.

S. Fitzgerald indicated that a representative from the Sad Café is coming in next week. He also recommends the Board adopt a new rate of \$0.56 cents for a mileage reimbursement rate, the IRS reduced their reimbursement rate from \$0.56.5 to \$0.56.

Motion by J. Sherman to direct the Town Manager to implement a mileage reimbursement rate effective January 1st, 2014 of \$0.56 cents per mile.

2nd J. Ingerson

Vote: 5-0-0

Motion passes.

S. Fitzgerald states the last adjustments that will be recommended to the board will be presented next Monday.

REVIEW OF 2014 PROPOSED WARRANT ARTICLES

R. Gray states he will name the Articles and those with no changes or discussion will be passed over.

ARTICLE P-14-02 THE OPERATING BUDGET

ARTICLE P-14-03 HIGHWAY DEPARTMENT EQUIPMENT CAPITAL RESERVE FUND DEPOSIT

ARTICLE P-14-04 REPLACE POLICE DEPARTMENT MOBILE RADIOS

ARTICLE P-14-05 COMMUNICATIONS RADIO REPEATER ENHANCEMENT

J. Sherman states that the Article does not use the words “Raise and Appropriate.

S. Fitzgerald responds that he recommends adding that language.

R. Gray directs the town manager to speak to DRA regarding this language question above.

ARTICLE P-14-06 COMMUNICATIONS RADIO DISPATCHING SYSTEM CAPITAL RESERVE ACCOUNT AND ASSOCIATED DEPOSIT

ARTICLE P-14-07 REPLACEMENT OF POLICE DEPARTMENT AUTOMATED EXTERNAL DEFIBRILLATORS (AED’S)

ARTICLE P-14-08 FIRE DEPARTMENT APPARATUS CAPITAL RESERVE FUND DEPOSIT

ARTICLE P-14-09 REPLACEMENT OF THE FIRE DEPARTMENT COMMAND VEHICLE

ARTICLE P-14-10 REPLACEMENT OF FIRE DEPARTMENT CARDIAC MONITOR AND AUTOMATIC EXTERNAL DEFIBRILLATORS (AED)

J. Sherman states that this Article is complete.

ARTICLE P-14-11 CELL TOWER MAINTENANCE CAPITAL RESERVE FUND DEPOSIT

ARTICLE P-14-12 BUILDING SYSTEMS CAPITAL RESERVE FUND DEPOSIT

S. Fitzgerald refers to page 2 of the Town Managers report reviewing the list of expenditures.

Discussion occurs regarding expenditures.

R. Gray requests a report back on the locations of the listed repairs.

Discussion occurs regarding the money coming out of the building maintenance reserve fund and the unanticipated repairs and the definition of unanticipated.

J. Sherman states suggesting that the Town Manager to redo this list.

M. Curran states she wants a detailed list on the boiler repair line item.

Further discussion occurs regarding repairs, costs, and unexpected status.

ARTICLE P-14-13 ENGINEERING ACTIVITIES FOR THE REPLACEMENT OF THE FIRE SUPPRESSION SYSTEM FIRE PUMPS AND PUMP HOUSE

R. Gray speaks, stating the intent addition. “In 2007, SFC Engineering conducted an independent assessment of the Town’s underground fire suppression system and recommended replacing the Town’s Pump and Pump House within 5-7 years.”

S. Fitzgerald reviews the warrant packets an article was dropped looking for clarity from DRA for capital reserve 70,000.00 addition replacement capital reserve fund.

ARTICLE P-14-14 REPLACEMENT OF THE WATER DEPARTMENT TRUCK

ARTICLE P-14-15 REPLACE FENCE AND SIGN AT THE TOWN CEMETERY

Discussion occurs regarding of sentence inclusion, “The existing fence was installed in May of 1931 (82 years old) and has reached its useful lifecycle.”

ARTICLE P -14-24 TRANSMITTER EQUIPMENT FOR THE CABLE DEPARTMENT

ARTICLE P-14-16 CONSERVATION FUND DEPOSIT

ARTICLE P-14-17

J. Ingerson questions the acreage as listed at 94.2?

S. Fitzgerald will review the listed acreage; it has been reviewed by the Conservation Commission.

ARTICLE P-14-17 TOWN FOREST – ADDITIONAL PARCELS & CONSERVATION EASEMENT

R. Gray speaks reading the article; “Shall the Town vote to expand the existing 310-cres Plaistow Town Forest by designating five parcels, listed and shown below and totaling 94.2 acres, as part of the Town Forest; and further, to authorize the Board of Selectmen to convey a conservation easement to a qualified conservation organization/and or governmental agency over the entire 404.2-acre Town Forest in order to permanently protect the forest from development while retaining the ability to use the Town Forest for forest management, passive recreation, enhancement and maintenance of scenic value, wildlife habitat and open space. The Town will still own the Town Forest. A Yes vote will have zero (0) impact on taxes.

- Tax Map 6, Lot 7 (Atkinson Line, Back)
- Tax Map 6, Lot 15 (Frog Pond Woods)
- Tax Map 7, Lot 3 (Frog Pond Woods)
- Tax Map 8, Lot 24 (Hickory Ridge Rd. Rear)
- Tax Map 8, Lot 25 (Hampstead Line)

Intent: Plaistow’s Town Forest, established in the year 2000 by Warrant Article P-20, and amended to include additional parcels in 2011 by Warrant Article P-11-20, is one of the most important environmental resources areas in Southern New Hampshire. Over the last year, Plaistow’s Conservation Commission has been working with the Southeast Land Trust of New Hampshire to expand the Town Forest. Using Town Conservation Funds and grant funds secured by Southeast Land Trust of New Hampshire, the Town has cleared title to and/or acquired three tracts totaling 79 acres. The grant used to secure these tracts requires that the Town permanently conserve the Town Forest through a conservation easement. Approval of this Article will designate the three newly acquired tracts plus two existing town owned tracts as part of the Town Forest and conserve the entire Town Forest so it is available to our future generations to enjoy.

R Gray suggests that the last sentence of the warrant article, the impact on taxes, be moved to the intent area.

S. Fitzgerald states that he will itemize each property and add the acreage of the parcels with a map.

Motion by J. Sherman to recommend article P-14-17 as written, move the last line of the article to the last line of the intent and to insert and (s) after parcel and adding acreage after each parcel.

2nd D. Poliquin

Vote: 5-0-0

Motion passes.

R. Gray states that the Planning Board is still working on their articles. They should be posted next week.

S. Fitzgerald states that the Town of Hampstead is signing on with the Town of Londonderry for their dispatch services.

TOWN MANAGER REPORT

S. Fitzgerald:

- Northern Utility Abatement
- Old Home Day Committee
Michelle requests a list of members.
- Gayle Hamel has accepted the Full Time Administrative Assistant.
- Upcoming meeting with David Hoyt.
- Welfare Guidelines Public Hearing.
Discussion regarding draft paragraph to be presented to the board.
R. Gray asked; how many property owners or rental housing persons are seeking assistance from the Town?
S. Fitzgerald states that the number of inspections are approximately 10 per year.
R. Gray we need to know the content of the public hearing and what we are asking for prior to the Public Hearing.
- Snows Brook Update.
Discussion regarding paving only, nothing else; Consensus to direct the Town Manager to cease activity on sidewalks.
- NH DES approved \$23,000,000.00 for Gasoline Remediation and Elimination of Ethers Funding. We have applied for a \$50,000.00 grant.
- Budget Committee Update.
- Departments have been asked to submit their 2013 Encumbrance Requests.
R. Gray inquires if it will be available next week.
- Town Report Advisory Committee.
- Review of Recreation Activities.
- Recreation Commission still looking for an Alternate member.
- Invitation to attend the Library December 16th Raffle.

OTHER BUSINESS

None.

SIGNATURE FOLDER

R. Gray notes the Signature Folder and Manifest are going around.

SELECTMENS REPORTS

M. Curran: Attended meeting of Elder Affairs Sarah Care. A tour and lunch, information was available regarding assistance for adult daycare. On a weekly basis veterans council volunteer to assist with applications with grants for aid for individuals. The grants are for transportation, day care, household alterations such as bathroom renovation to assist those in need. Ideas regarding transportation bus rentals were discussed. Partnering with them to rent which could be an alternative utilizing resources that are currently under-utilized. This Wednesday will attend Family Mediation meeting, it will be Volunteer Appreciation Night to be held at the Atkinson Community Center.

J. Sherman: Budget committee meeting tomorrow night. Town Report advisory meeting on Tuesday, 12/17.

D. Poliquin: Recreation Committee meeting Wednesday night.

J. Ingerson: Dec 5th Conservation Committee met with Eric, of the Boy Scouts who has completed a project, benches in the forest and has provided pictures. Thanked Singer Subaru and Moynihan Lumber who helped sponsor the project.

R. Gray: The Planning Board met last week the condominium conversion came before the board and was approved by the board with several conditions that have to be met. That conversion also has to go before the Attorney General's office. Zoning amendments are being discussed. Talking about adding an overlay district by a portion of Danville Road, clarification for the requirements for building a class 6 road, expanding the definition of dealerships being allowed within 1000 feet, specifying minimum distances between accesses and DRB's. Article stating condo conversions have to come before the planning board for approval, asking for NPRD's adding a sentence that states combining wetlands sloped areas open space requirement, asking for clarification home occupations zoning allows for multiple home occupations in the same dwelling. Change to in-law accessory apartments the definition of what a contractor and small contractor is. Next planning meeting is on the 18th Panera Bread delay plantings until the spring. Town Report Committee meeting and Historical Society meeting. Lights look great all over town.

D. Poliquin condolences to Deputy Chief Jones, Donald Normandeau, founder of Normandeau Associates, he was also the head of Fish and Game for a while, calling hours were yesterday. Ned Barry passed away also.

Motion by J. Sherman to go into Non Public under RSA 91-A:3 II (a) Personnel (d) Negotiations (e) Legal

2nd by D. Poliquin

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

Public meeting adjourned 9:42 pm.

Respectfully Submitted
Kerry Lee Noel