



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

**PLAISTOW BOARD OF SELECTMEN MINUTES:**

**DATE:** December 30, 2013

**MEETING CALLED TO ORDER:** 6:35 PM

**SELECTMEN:**

Chairman, Robert Gray  
Selectman, Michelle Curran  
Selectman, Daniel Poliquin - excused

Vice Chairman, John Sherman  
Selectman, Joyce Ingerson  
Town Manager, Sean Fitzgerald

**AGENDA:**

**MINUTES:**

*Motion by J. Sherman to approve the Minutes of December 16<sup>th</sup>, as written.*

*2<sup>nd</sup> M. Curran*

*Vote: 4-0-0*

*Motion passes.*

**PUBLIC COMMENT:**

Eric Robinson, representing the Sad Café, distributes an updated application to the Board of Selectmen members. He states that there have been serious changes occurring in the last two weeks. The executive director, which had been a voluntary position has resigned. The manager has also resigned for another opportunity. E. Robinson states that he is currently doing all of the jobs. The payroll has been cut and is now only for concession kids and a lighting person. The Sad Café has lost a significant amount of income approximately \$14,000.00 to \$15,000.00 by the end of this year.

J. Sherman inquires, upon reviewing the application, if the period is through December 1<sup>st</sup>, and questions if it is being based on a twelve month period.

E. Robinson responds yes.

S. Fitzgerald thanks Mr. Robinson for coming in and submitting the application. He inquires if the Sad Café is reaching out to other age groups with additional programs, and can you discuss that further.

E. Robinson states that the theater group is all age encompassing. From teenager's to persons in their 60's. Looking to add an excitement to it and hoping that the casting process will grow with the productions as they are added to the program. Focus is still on the high school age groups but all are invited.

S. Fitzgerald asks if there are many items that are still up in the air.

E. Robinson states that in the next 30 days there should be more solid information regarding the programs. Perhaps some adult venues may be in the future where alcohol may be allowed to be brought into the venue. Currently still no alcohol.

J. Sherman refers to page 5; Admission projection figures of \$51,000.00, are they accurate.

E. Robinson responds that the figure is based on averages of the past. Every band should have the ability to showcase their talents. It gives them experience and exposure.

J. Sherman asks if he believes that same level of admissions would occur this year. Will the hall be rented out for additional income? Who are the renters of the hall?

E. Robinson responds that functions include birthday parties and baby showers. The rentals supplement the drop in grants over the last few years, stating that the Southern NH Youth Coalition pulled their funding.

J. Sherman goes forward inquiring about the figure for the Operating Costs. Rent of \$21,600.00 is listed twice.

E. Robinson responds directing the board to attachment D, overhead per year is approximately \$40,000.00 - \$42,000.00.

J. Sherman continues stating that the total revenue income is \$84,000.00 for 2012, what is the expected revenue for the coming year. You have estimated \$62,000.00 expected expenses and a projected income of \$84,000.00, what are you expecting to do with the profit of \$22,000.00.

E. Robinson states that the estimated revenue is projected to be the same roughly \$84,000.00. Salaries that have been cut will assist with the projection of income. The profit will help to get out of debt. The landlord has created a deal for the back rent. I expect to be caught up within a year.

J. Sherman states that the repayment of \$18,000.00 rent debt should be in the paperwork. How many incidents have required police involvement? Any incidents with kids walking across 125?

E. Robinson responds I have not known an evening when the police were called or are aware of problems crossing 125. We have Plaistow Pizza Company in house so there is less of a need to go there to get it.

R. Gray reviews attachment B, in respect to how many Plaistow residents are attending services at the Sad Café. He thanks Mr. Robinson for coming in.

E. Robinson's cell number given to S. Fitzgerald.

**PUBLIC HEARING – PUBLIC SAFETY COMPLEX PRELIMINARY ENGINEERING/COST STUDY – CHIEF SAVAGE & CHIEF MCARDLE**

R. Gray opens the Public Hearing at 7 pm.

Chief Savage states that discussion with the Board has been occurring over time and the study would be the next logical step to inform the public of the specifics of funding the steps required to produce

an accurate estimate for the project. The statute requires that the funds be used within a period of time and we are reaching the period of time, they must be used. Whether it is a new Police facility or rehabilitating the Fire Department facility. The road permit has been issued; using the Public Safety Impact Fee would be the way to go with it by using the older money first.

J. Sherman states that one of the issues that have come up is accreditation for the Police Department?

Chief Savage responds that as part of the National accreditation process, if you are deficient in a particular area, a letter showing that you are aware of the deficiency and giving a timeline to correct the problem can be submitted. This can be included in the file for your application to accreditation.

J. Sherman inquires how long does the accreditation last, is it annually.

Chief Savage states it is for 5 years, for National Accreditation there are 199 standards that have to be reached. We have never had accreditation because of the facility and policy and procedure manuals that we have been working on for the last 6 years. We need to establish a beta site, a policy team to come in and show the deficiencies and then we can know where to start. Once accreditation is established the process is redone every 5 years. It requires a significant commitment.

J. Sherman inquires if we know the cost of accreditations.

Chief Savage states \$10,000.00 to \$15,000.00. for the national accreditation assessors to come in.

R. Gray inquires whether it is that wise to do before we have a new facility.

Chief Savage responds that we have contacts within the region will come in and assess the situation at no cost.

J. Sherman states he feels that kind of information will assist the issue in going forward.

R. Gray asks what rooms in the current facility would be considered adequate.

Chief Savage responds that the space needs were pinpointed several years ago. Sight and Sound separation for the cell blocks, the evidence area is a problem, refrigeration for particular items that are brought in, security due to suspended ceilings, gender issues for officers and for detainees, the detectives are in a trailer now, confidentiality, as well as officer safety issues.

R. Gray looking forward, a new building and the old building, emergency management will need space as well.

Chief Savage states that on a committee level we have discussed those subjects. There are renovations that will have to take place at the old facility. The Fire Department has discussed for several years for the inclusion of sleeping quarters.

R. Gray inquires whether you recommend as part of the study, combining the Court House facility into this project.

Chief Savage states that he has had this conversation and found there is zero interest in combining those facilities in the Judiciary.

S. Fitzgerald states that has had discussions with John Goodnow, the Chief Administrator to the Courts, regarding a court house that would be adjacent to a new standalone Police Station.

J. Sherman states that the committee has been meeting and they have decided that a separate standalone Police facility and to find a different use for the police side of the facility.

Chief Savage responds that is correct, about 5000 square feet.

Chief McArdle adds that some of the discussion has included moving the inspectional services into the building. This would bring all of the files someone would need into one area, the Fire Department, the plumbing and electrical inspector which would make it convenient for the person looking for the permit to just go to one place. It is an opportunity to make the operations of the Town and the Fire Department more efficient.

J. Sherman inquires if S. Fitzgerald is comfortable with the costs projected for the study.

S. Fitzgerald states yes, it will help with “right sizing” the project. It would get some numbers to the Board of Selectmen and the town that would create an accurate estimate needed for voting at Town Meeting.

J. Sherman inquires if the direction for whoever is hired, would be asking for a separate standalone police facility. We are expecting them to bring a design for that.

S. Fitzgerald states that we can send out an RFP, with experience working with bond council.

J. Sherman states the first half of the directive would be to bring in a design for a standalone building. The second half would be to provide options for the existing facility. Is one of the options to retrofit the existing facility to include the District Court?

Chief Savage states the judges have not indicated want to be attached to a law enforcement facility. If the police are in a standalone and the fire dept is the occupant it depends on who you ask if the court house could be housed there. One of the deficiencies is parking currently at the Public Safety Complex.

S. Fitzgerald states that Emergency Management is evolving and will continue to do so. That space may be important to strategically align the departments. Getting more details with the study will further those discussions.

J. Sherman requests a one page memo recommending the separate facility for the Police Department and retro-fitting the existing building from Chiefs and the Town Manager.

R. Gray restates that this study would be funded thru the Public Safety Impact Fees. Of that study there is approximately \$83,956.00. From the \$83,956.00, \$56,205.00 is earmarked for the Fire Department Apparatus Capital Equipment; leaving \$27,705.00 could be used to fund the study.

J. Sherman states that one option could be to take the money and put the \$56,000 into the Fire Vehicle Replacement Fund. Is this presentation available on line?

S. Fitzgerald states it is specifically defined and is designed for new uses not existing obligations of the Town. . It is on the Plaistow Police Department website.

R. Gray closes the Public Hearing at 7:27 pm.

***Motion by M. Curran to approve the use of \$25,000.00 from the Public Safety Impact Fee Account to complete the preliminary engineering phase for the expansion of the Public Safety Complex including a project cost estimate that could later be used as the amount of a bond to finance this need.***

***2<sup>nd</sup> J. Sherman***

***Vote: 4-0-0***

***Motion passes.***

### **REVIEW OF 2014 PROPOSED BUDGET**

S. Fitzgerald refers to adjustments that are recommended on page 3 of the Town Managers report. The increase of the Personnel Budget is due to the shift of the NH Retirement costs and increase to the Towns Health Care Plan which is attributable to employee census changes. The recommended increase to the budget is \$152,692.00.

M. Curran requests a copy of the personnel plan for the board.

R. Gray reviews the figures of percentage increases for Police Officers, Firefighters, and other Town employees. Asking if those figures reflect the potential decrease in the percentage of employee contributions.

S. Fitzgerald states it does not reflect the potential decreases.

J. Sherman states there are 3 components to the change, increase to health premiums, census changes, and retirement costs.

***Motion by J. Sherman to move to increase the Personnel Budget by \$152,692.00, as outlined in the December 30<sup>th</sup> Town Managers Report.***

***2<sup>nd</sup> J. Ingerson***

Discussion occurs.

J. Sherman requests a new summary budget for the next meeting.

***Vote: 4-1-0 (M. Curran)***

***Motion passes.***

S. Fitzgerald continues regarding Merit Increases for non-union employees.

J. Sherman inquires that these are changes for 2014.

***Motion J. Sherman to approve the proposed changes to the 2014 Budget as presented in the Performance Review/Merit Increase table in the Town Managers report dated December 30, 2013. 2<sup>nd</sup> J. Ingerson stating that she was not clear on what we were voting on. These raises have already been approved, what is being asked is to use the money in the budget to cover the raises.***

S. Fitzgerald states the vote is to make adjustments to the 2014 budget.

M. Curran states that we did voted to approve the raises. The vote was to increase the 2014 budget to utilize that money.

***Vote: 3-1-0 (M. Curran)***

***Motion passes.***

M. Curran states that she is voting no due to the allocation.

S. Fitzgerald states that he would like to discuss the next item in non public.

J. Sherman inquires if there are any other budget changes.

S. Fitzgerald states no.

J. Sherman continues discuss the budget workbook handed out previously. On page 7, the Human Resources/Assessing Postage Line the actuals are \$82.00.

S. Fitzgerald states that we have one postage machine that manually has to be tracked and that he is looking into a postage machine that can more easily detail department usage

J. Sherman continues, the Tax Collectors office the actual is \$3,514.00 the concern is why we are budgeting \$500.00 for the next year? Page 8 Tax Collector the Mailing Service showing \$500.00 requested?

S. Fitzgerald responds that it may be an error on the Tax Collector Postage figure, will review the figures being discussed for accuracy.

J. Sherman continues, Government Buildings on page 16, the Safety Complex electric is overspent but the heat figures are underspent we are level funding them for the request. Page 21, in the Police Budget the \$11,000.00 actual standing by itself. Moved to account 4210-10-351 which was on the previous page.

S. Fitzgerald responds that was a hidden line from a prior year it was keyed into the wrong account.

J. Sherman continues on page 33, Solid Waste Cleanup Line the Landfill Engineering was way overspent.

S. Fitzgerald responds that some of that is attributable to encumbrances.

J. Sherman continues on page 34, Water Distribution has no actual for 2013. Page 35, Capital Improvement Project line \$12,000 should be zero.

R. Gray inquires if there is anything else on the 2014 Proposed Budget.

***Motion by M. Curran to withdraw our funding for the year 2014, \$5000.00 allocated for the Sad Café based on previous discussions and new information.***  
***2<sup>nd</sup> J. Sherman***

Discussion:

M. Curran originally concerned with the Board Member resignations and the lack of advertising for afterschool programs. The new information that has been presented appears to show they are moving away from their original charter. The direction they are going in seems to deviate from their original mission statement. The services being offered are not the same and they are moving away from the center of activities for area youth. The burden of the rent due and the aspect of not reinvesting the profit into the program, but to eliminate their own debt.

R. Gray states that he is concerned regarding level that Plaistow supports the organization in relation to other towns in the area. The membership list and the towns populace that is participating in the program, however is in favor of eliminating a significant portion of the funding.

M. Curran states that he has admitted that alcohol is being considered to be available in a “bring your own alcohol situation”

J. Sherman states he supports reducing the funding to \$1,000.00.

R. Gray states that he supports that with a disbursement over the course of the year.

S. Fitzgerald states he believes that the organization is changing and the confidence of the positive effect may be to establish additional expectations, the town can state that the funds go directly to programs that support youth.

Discussion occurs.

***Vote: 2-2-0 (J. Sherman, R. Gray)***  
***Motion fails.***

***J. Sherman motion to reduce the Sad Café funding to \$1,000.00***  
***2<sup>nd</sup> R. Gray***  
***Vote: 2-2-0 (M. Curran, J. Ingerson)***  
***Motion fails.***

Defer until next week.

Encumbrances:

S. Fitzgerald refers to the table in the Town Managers report page 7, which list the encumbrances and includes contractual obligations of the prior year as well as encumbrances that were approved last year. Unexpended Highway Block Grant Funding and for example, Planning has a contract to upgrade the impact fees and work to be done on the Master Plan.

R. Gray inquires about a previous report that the 2011 Audit was completed.

S. Fitzgerald states that it is, there is a balance \$4,458.64 that was held from last year. Asking the board to carry the payable for any unanticipated additional work, already budgeted.

R. Gray continues, the Warrant Article on the Concrete Apron repair

S. Fitzgerald responds that the work was deferred until spring; the Fire Chief was concerned leaving the Fire Apparatus outside due to frost and delayed response time.

R. Gray continues the safety improvement at Ingalls Terrace, is that the shelter that we fixed.

S. Fitzgerald responds that it is additional items for Ingalls as part of the original warrant of \$20,000.00 for improvements at Ingalls. We have \$3,500.00 for items for Ingalls, recycling containers, safe surface replacement for the material underneath the swings and other items that were approved.

M. Curran inquires about Highway Block Grant money that is unused.

S. Fitzgerald responds that Highway block grant money unused is earmarked for highway work. We also matched funds for Safe Routes to School, Hale Spring project has been deferred until the spring. Class A uniforms for the Fire Department.

***Motion by J. Sherman move to approve the 2014 encumbrances as presented in the table presented by the Town Manager in his report of December 30, 2013.***

***J. Ingerson 2<sup>nd</sup>***

***Vote: 3-1-0 (M. Curran)***

***Motion passes.***

## **REVIEW OF 2014 PROPOSED WARRANT ARTICLES**

S. Fitzgerald states that this Warrant Article was reviewed by the Town Clerk Mary Ellen Pelletier and Tax Collector Rosemarie Bayek:

*Shall the Town vote to authorize, beginning at Town Meeting 2015, that the Town Clerk and Tax Collector receive a cost of living raise that is the same as other employee averages, in the event that the Town Employees are receiving raises for that calendar year? The increase shall be included in the operating budget and shall be voted upon as part of the annual operating budget of the Town. If the Town Clerk or Tax Collector seeks an increase greater than the average being requested in the operating budget for nonunion or union employees, that request will be as a separate warrant article.*

**Intent: To develop a way to give a cost of living raise in a simpler, more fair way, than having the Town Clerk and Tax Collector ask for a raise by warrant article every year or two. A survey of more than 50 NH towns showed that around 45 of those towns give their clerks and tax collectors a cost of living raise in this manner.**



R. Gray recommends add the wording (non-union) to the phrase; cost of living raise that is the same as other employee averages.

J. Sherman questions the wording other employee averages.

R. Gray responds that the wording averages based on merit and performances rather than cost of living.

J. Sherman states he is not in favor of the comparison between cost of living and merit and performance. It is a cost of living raise not a merit raise. Other employees do not get cost of living raises.

M. Curran states that there is no control over that office in regard to merit and performance as it is an elected office.

Discussion occurs.

J. Sherman states that he would like, on the second line, after living raise, add based on the regional consumer price index.

***Motion by J. Sherman Shall the Town vote to authorize, beginning at the Town Meeting 2015, that the Town Clerk and Tax Collector receive up to a cost of living raise, based on the regional consumer price index.***

Discussion regarding the year of commencement, and whether it is on an annual basis, wording changes and future obligation.

J. Sherman suggests the rest of the article should read; This increase shall be included in the operating budget and shall be voted upon as part of the annual operating budget of the Town. If the Town Clerk or Tax Collector seek an increase larger than the cost of living that request will be separate warrant article.

Discussion occurs

Intent: To develop a way to give a cost of living raise to the Town Clerk and Tax Collector. A survey of more than 50 NH towns showed that the around 45 of those towns give their clerk's and tax collectors a cost of living raise in this manner.

R. Gray requests the wording be updated for the next Board of Selectmen meeting.

R. Gray refers to Article 14 where the words are giving the option of the Board or the agents / only by future vote at Town Meeting, does want the Board to be the agents of the fund.

S. Fitzgerald states that the Trustees of the Trust Fund recommended P-14-8 the word apparatus be removed from the fund, name of the Fire Department Capital Reserve fund does not include apparatus. Added the word capital in P-14-11, updated the amount the board voted on at the last meeting. On page 8, added language; to P-14-14 regarding replacement to come from fees of water users.

Also drafted on page 10 to vote on whether or not to reduce the budget committee from 12 elected members to 9.

R. Gray states that this will be a new article Reduction of Budget Committee Members P-14-?

*“Shall the town vote to reduce the composition of the Budget Committee from 12 members to 9 as allowable under RSA 32:15.”*

**Intent: Per NH RSA 32:15, the Plaistow’s Budget Committee is required to consist of 3 to 13 members. The Budget Committee is requesting to reduce the number from 12 members currently to 9. The purpose of this Warrant Article is to help ensure that a quorum, a majority of members of the Budget Committee will be available for a duly posted and scheduled meeting of the committee. Making this adjustment will ensure that Plaistow’s Budget Committee will be able to meet their own sit so that committee members are available.**

J. Sherman adds that it should read, 12 elected members currently to 9.

Discussion occurs.

R. Gray adds, shouldn’t we lay out how the reduction will take place, when would it be effective. Please ask the New Hampshire Municipal Association, if the elections process would affect the ability to cycle them out through the election process.

S. Fitzgerald will look into the process with NHMA.

S. Fitzgerald continues with the Warrant Article brought to the Board by Rosemarie Bayek;

*Shall the Town vote to adopt the provision of RSA 80:80, to authorize the Plaistow Board of Selectmen to dispose of tax deeded property as justice may require indefinitely or until rescinded.*

**Intent: This Warrant Article allows the Plaistow Board of Selectmen to dispose of or sell property that the Town has taken due to the failure to pay Town owed property taxes.**

***Motion by J. Sherman to recommend the Warrant Article to disposing of Tax deeded property.***

***2<sup>nd</sup> J. Ingerson***

***Vote: 4-0-0***

***Motion passes.***

R. Gray inquires if a Warrant Article for water usage at the town forest.

S. Fitzgerald the town forest would not be an optimal water resource, based on information obtained through the Water Symposium, but we do have access through an easement.

## **TOWN MANAGER REPORT**

S. Fitzgerald:

- Old Home Day

- Family Promise reconsideration
- NHDES Grant  
Consensus of the Board to Support the Program and to continue going forward.
- Welfare Guidelines deferred.
- Safe Routes to School Grant
- Budget Committee
- Annual Town Report
- Complaint received regarding Pro-Bark. Abutters have been met with regarding vibrations and smells. Scott Sullivan's letter was and will be responded to.
- Snow Storm
- Winter Parking Ban Reminder Problem. on Main Street all night long  
J. Ingerson comments all night parking has been observed.  
R. Gray inquires who is responsible for situations of plowing snow across the roadways.  
S. Fitzgerald responds that the code enforcement officer is responsible. You can also contact the Town Manager to report any problems.  
J. Sherman inquires what is the penalty for parking during the ban during storm or not during storm. S. Fitzgerald will update the Board with that answer.

## **OTHER BUSINESS**

R. Gray would like to see an overall analysis of the Budget.

## **SIGNATURE FOLDER**

R. Gray notes the Signature Folder and Manifest are going around. Input from the chairman on appointment to the Recreation Commission.

## **SELECTMENS REPORTS**

J. Sherman:

- Budget Committee Meeting this Saturday, January 4<sup>th</sup> at 10 am.
- Town Report Committee didn't meet. I have contacted L. Komornick stating I would be available for proofreading.
- Attended the Christmas Eve Ceremony at the Plaistow Baptist Church, they had taken a collection for Family Promise.
- Looking into the tax rate in Sandown and how the school budget impacted the budget. I can share the information he has uncovered at the next meeting.

M. Curran:

- Nothing to report.

J. Ingerson:

- Attempted to attend a meeting that had been cancelled.

R. Gray:

- Attended the Town Hall Employee Holiday Party.
- Spent a large amount of time today on the Selectmen's Report for the Town.
- Planning Board will not meeting until the 15<sup>th</sup> of the month.

***Motion by J. Sherman to go into Non Public under RSA 91-A:3 II (a) Personnel (d) Negotiations  
2<sup>nd</sup> by M. Curran***

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

Public meeting adjourned 9:20 pm.

Respectfully Submitted  
Kerry Lee Noel