



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

**PLAISTOW BOARD OF SELECTMEN MINUTES:**

**DATE:** Monday, April 22, 2013

**MEETING CALLED TO ORDER:** 6:39 pm

**SELECTMEN:**

Chairman, Robert Gray

Selectman, Michelle Curran - excused

Selectman, Daniel Poliquin - arrived 6:47 pm

Vice Chairman, John Sherman

Selectman, Joyce Ingerson

Town Manager, Sean Fitzgerald

**AGENDA:**

**MINUTES:**

*Motion by J. Sherman to approve the Minutes of April 8, 2013 with change to page 7.*

*2nd by: J. Ingerson.*

*Vote: 3-0-0 (Absent: M. Curran and D. Poliquin)*

*Motion carries.*

**PUBLIC COMMENT:**

No one from the public wishing to speak.

**DISCUSSION ON HUMVEE – CHIEF SAVAGE**

S. Savage discussed Humvees: the Police Department is in possession of one Humvee and the Fire Department has the other one. They also have a couple of parts vehicles. Both Humvees are in fantastic shape. The Fire Department has a local business who has offered to paint the vehicles and the Police Department has separate business to do body work on the vehicles. The estimated cost is between \$1,000 and \$2,000. They would like the vehicles to be ready for Old Home Day.

J. Sherman inquired if the Humvees would be available for Old Home Day.

S. Fitzgerald discussed having both Humvees available for presentation during Old Home Day.

**DISCUSSION ON 2013 HIGHWAY SAFETY GRANT – CHIEF SAVAGE**

S. Savage discussed Stalker Message Center 360 Trailer with speed sensor radar, solar panel, trailer tongue jack, trailer wheel lock and trailer data collection unit. It is not only radar but a sign message board. The cost of the equipment is \$16,995 plus shipping (\$586.00) for a total of \$17,581. He chose the larger radar with message concept because it allows more characters. The message concept could be used in and at various locations and functions around Town. The Highway Safety Grant received was in the amount of \$6,000 from the State, the Police Association has raised \$3,000, Exxon Mobil has donated \$1,000 and Taurus Development (Walgreens) has pledged \$2,500.

*D. Poliquin arrived at 6:47 p.m.*

### **BEEDE CHECK DONATION**

S. Fitzgerald discussed donation from Exxon Mobil (\$1,000). Under Town policy the Town Manager can accept donations up to \$5,000. He wanted to discuss with Board before accepting the donation because of where the donation came from. The message board was discussed at the Highway Safety Committee meeting and they were in favor of it.

J. Sherman inquired about the size of the sign and where it would be housed.

S. Savage noted it was a fairly substantial size. It was the one with the most characters (1,000 characters). The housing would be at the Police Department. They would be able to use it for a variety of different functions for the Town. He supported the idea and concept for use as a message board along with radar.

R. Gray noted the radar was funded through non tax payer dollars. He inquired if the Chief had solicited donations.

S. Savage noted yes with the permission of the Town Manager.

S. Fitzgerald noted he had authorized the Chief up to and not to exceed \$5,000 in solicited donations.

Board discussed Beede donation.

J. Sherman was fine with the donation.

S. Fitzgerald discussed background of donation and his conversation with Mr. Skinner.

Board favored the acceptance of the funds (\$1,000 donation) from Exxon Mobil Corporation.

*Consensus of the Board was for Police Chief to proceed with direction from Town Manager.*

### **TOWN PAINT/LABOR DONATION (LESS THAN \$5,000)**

*Consensus of the Board was to accept the donations from two local body shops to help with painting and body work.*

R. Gray received a letter from NH Department of Safety regarding the Project Application under Disaster FEMA-4095-DR-NH which was declared on November 28, 2012. The Town has received a check in the amount of \$7,831.69 as a refund for public assistance associated the disaster declaration.

R. Gray also received a letter from the Department of Safety regarding an award of XTS 2500 Radio to Emergency Management Director. He gave both documents to Sean.

### **UNITIL – PHIL JOHNSON (MAIN STREET GAS LINE PROJECT)**

S. Fitzgerald noted Phil Johnson was the Construction Supervisor for the gas line repair on Main Street. He met with Phil, Chief Savage and Dan Garlington to discuss the timeline of completion.

P. Johnson discussed requirement of the PEC to replace piping by 2015. Most piping has reached their usable life span. In the 60s steel pipes were installed however high density plastic is now being installed. They are replacing bare steel piping in both Plaistow and Exeter. There is 7,000 feet of bare steel on Main Street in Plaistow. The Haseltine section of Main Street is being worked now. 6" high

density plastic has been installed and existing services are being uploaded and turned on. They will move north (Kingshaw Avenue to Elm Street) where there is about 4,900 feet of bare steel. The work will take 4 to 6 weeks if weather cooperates.

Board had concerns with the Old Home Day event.

R. Gray inquired if there was a map of the existing gas mains located in Plaistow.

S. Fitzgerald noted he received a map last week. He showed the map to the Board and discussed inquiries he received from residents who wanted gas installed (Sunrise Terrace).

P. Johnson noted he had information that he would leave at Town Hall for residents who were interested in having gas installed. Customers on the main (100 feet from the road) is a free gas installation however if it is off the main line there is a customer contribution. If there were a number of customers it would reduce the contribution. In the past couple of years Unitil has been marketing gas. There is only a 20% saturation of residents in Plaistow who use gas.

D. Poliquin discussed Old Home Day and possible construction conflicts. He suggested starting on Elm Street and going south.

P. Johnson noted they would work with the Town.

S. Fitzgerald discussed conflicts with public and school (Pollard) travelling.

Board discussed Unitil working on Saturday to avoid scheduling conflicts.

S. Fitzgerald discussed possible motion from the Board: Direct Town Manager to work with Unitil and NHDOT to avoid conflict with school schedules.

D. Poliquin suggested notifying Superintendent about traffic to possibly change queuing of vehicles.

J. Ingerson suggested Unitil contact Berube Funeral Home also.

P. Johnson agreed and noted they could possibly work on two Saturdays to help with traffic.

J. Ingerson inquired about road work after the completion.

P. Johnson discussed restoration being completed after the completion/installation of the pipe.

S. Fitzgerald noted Unitil was working with the Road Superintendent Dan Garlington.

J. Sherman and S. Fitzgerald discussed overlay map that showed the piping in Town. A copy was given to the Fire Chief and one is available at Town Hall if residents would like to know where the closest main is to their home.

J. Ingerson inquired if the gas line was on both sides of the road.

P. Johnson noted the gas main was only on one side of the road (north side).

***Motion by J. Sherman to direct the Town Manager to work with Unitil to compress the installation schedule by doing such things as perhaps working on Saturday and for the Town Manager to work with the school district to make them aware of the pick-up and drop off of students and to direct the Town Manager to work with Unitil and to have them consider their recommendation to start the next construction phase starting from Elm Street working south.***

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

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

***Motion carries.***

### **REVIEW OF NEW LEASE FOR PLAISTOW COURT HOUSE**

S. Fitzgerald discussed negotiation of lease for Plaistow Court House and conversations with Sarah Lineberry from the Bureau of Courts. A copy of the new lease was given to the Selectmen. It was the old lease with the same level of rent (\$43,440 to be received on a calendar year). The contract was in jeopardy two years ago however the Board worked with Senate President Maggie Hassan (she is now Governor) and they have a commitment to keep the court open for the next two years. The Town has made investments to the Court (painting, installation of HVAC system, replacement of sink and additional improvements to security). Installation of windows is to happen this spring. His recommendation was for the Board to approve the contract and authorize the Town Manager to sign off on the agreement.

J. Sherman inquired if the new Court House was on anyone's horizon.

S. Fitzgerald noted the new Court House had been talked about regularly. Two years ago they toured the Town and looked at possible new sites (Penn box site) and the future construction of the new Police facility and an adjourning site. The existing Court House does not meet the demands of today however functional the size capacity and parking lot does not meet today's demands.

S. Fitzgerald and J. Sherman discussed the current situation of the Court House and current use.

J. Sherman suggested parking be on one side of the street only.

S. Fitzgerald noted he could discuss that suggestion with the Highway Safety Committee and Chief Savage.

R. Gray noted Elm Street was a State Road and the State needed to be contacted.

***Motion by D. Poliquin to follow the recommendation from the Town Manager to sign off on the proposed two year lease with the Department of Administrative Services Bureau of Planning and Management totaling \$86,880 as presented to the Selectmen dated April 22, 2013.***

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

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

***Motion carries.***

### **BOS/GOALS**

R. Gray noted the Goals could be found on page 9 and 10 of the Town Manager Report.

J. Ingerson inquired if the Board of Selectmen generated Goals for the Town Manager.

J. Sherman noted yes.

J. Ingerson inquired when this was done.

R. Gray noted they have tried to do it twice a year however it had not always been followed. In the past it had been followed loosely however he planned on holding these discussions quarterly. If something has been completed then they could take it off the list.

J. Ingerson inquired if it was just the Board of Selectmen that generated the Goals or could the Town Manager generate his own Goals.

R. Gray noted the Town Manager could generate some Goals as long as there was a consensus from the Board. The Town Manager could tighten up a Goal recommended by the Board or he may think of one that the Board has not thought of.

S. Fitzgerald discussed his prior presentation of the five Goals that he had added to the Board's Goals:

- *Present a recommendation to the BOS for the negotiated settlement of the past due water line fees owed by TESTA by August 1<sup>st</sup> 2013.*

Major issues with tax payers who have failed to pay taxes to the Town. For this one we have structured a deal for the property taxes however there are 3 years of outstanding water line fees which take quite a bit of time to negotiate. Attorney Kalman would also need to be involved along with the Attorney on the TESTA side.

J. Sherman agreed with the Goal and date provided.

J. Ingerson inquired why they were allowing this matter to continue.

S. Fitzgerald discussed location of TESTA (right in the center of Town), TESTA being a good partner to the Town, TESTA supporting Emergency Management (fire suppression system is on their property – they provide the water to the Town), and being fair to give them some consideration in their time of need.

D. Poliquin noted they were talking about water line fees. He thought they had been hammered this out previously and inquired if something had changed.

S. Fitzgerald noted they could discuss in Non Public.

D. Poliquin was surprised it had not been finalized.

S. Fitzgerald noted Attorney Kalman had brought contracts to his attention that were worked out by the Town which he just received four months ago that addressed the water on the property that a prior Board of Selectmen had negotiated. He thought he could take care of this in short order.

R. Gray noted if the prior agreement had been broken he wondered if any legal action could be taken.

D. Poliquin suggested the Board wait until a later date to discuss in Non Public.

J. Sherman suggested leaving goal as it was for now.

- *Work with Cable Commission to outline tenants of new Comcast Cable Contract set to expire in 2015. Coordinate a joint meeting of the Cable Commission and BOS by August of 2013 with recommendations to the BOS by January of 2014.*

J. Sherman noted the Goal made sense.

R. Gray agreed with the Goal.

- *Work with the two Town Unions and BOS to coordinate a Special Town Meeting on the outstanding Contracts by September 2013.*

R. Gray did not like the works ‘coordinate a Special Town Meeting’ because it assumes they will bring something back to the Board that they will be agreeable upon.

S. Fitzgerald discussed settling a contract which would be a priority for them. It was a concern of his and he would like to have a contract with these groups that would be of fair reflection.

R. Gray was not convinced it should be a Goal however it was a priority.

S. Fitzgerald noted these were recommendations that he was bringing to the Board and it was a Goal that he would like to work toward.

J. Sherman discussed Goal effecting negotiations and suggested to change to something simpler and shorter such as presentation to Board on current status of negotiations by such and such a date. He noted there was a new member of the Board and it was unfair to put a Goal with a date because of the new Board member. He thought the date effected negotiations and suggested that the Town Manager could make a presentation to the Board in Non Public.

D. Poliquin would like minimum monthly updates regarding what has transpired with negotiations.

J. Sherman suggested changing the wording of the Goal to include monthly updates to the BOS on current negotiations. He did not think it was wise to put a date on it.

J. Ingerson inquired how many months would be involved. She noted it had been years now and suggested to have a date listed on the Goal.

J. Sherman suggested the Goal be to *Direct the Town Manager to schedule monthly updates with the Board of Selectmen.*

R. Gray noted a deeper discussion could be had at a later date.

- *Implement the new Town Personnel Plan with the conversion of the annual “sick time buy back” to an Earned Time Off policy by August 2013.*

R. Gray was fine with the Goal.

D. Poliquin inquired if Boards would see a draft.

S. Fitzgerald noted he would send one out this week.

J. Sherman suggested putting a day instead of just August 2013.

D. Poliquin noted the first Monday in August was the 5<sup>th</sup>.

J. Sherman suggested going back to TESTA and also adding August 5<sup>th</sup>.

- *Coordinate a Water Resources Symposium to evaluate and discuss the Town of Plaistow's water resources challenges and opportunities by September 13, 2013. Prepare a report for the BOS outlining recommendations. (The symposium will include representatives from NHDES, Rockingham Planning Commission and regional and state water resources organizations.)*

J. Sherman was okay with the Goal.

J. Sherman he suggested the BOS Goals be reviewed and have a date put on them.

R. Gray suggested for Sean to put a date on the BOS Goals and to have the Board review next week.

- *Goal: Have Town Manager work with Plaistow First to develop recommendations for a new Highway Garage.*

S. Fitzgerald suggested a date of September.

D. Poliquin suggested adding 'site for Salt Shed and Highway Garage'.

- *Goal: Charge the Town Manager to come up with an emergency Town wide water supply.*

R. Gray suggested the Goal be removed because the symposium would deal with those issues.

D. Poliquin discussed capacity of water flow rates and wells at Town Hall, PARC and Hale Spring.

S. Fitzgerald noted he could do that and ask Town Staff to go out and evaluate the Town's existing wells as well as having this information discussed at the symposium.

- *Goal: Coordinate a Land Use Summit between Land Use Boards and to work with Town Manager to narrow perimeters to what is to be discussed at summit.*

R. Gray would like to have a meeting with Steve Ranlett and Leigh Komornick to narrow down the discussion of the Land Use Summit focus/discussion by end of May.

- *Goal: Maintenance Plan for Town Buildings (One Year, Two Year & Five Year).*

R. Gray thought Town Staff should be able to coordinate this by next month.

- *Goal: Look at water/waste water and how to achieve getting a study done for the existing line the Town currently has.*

S. Fitzgerald noted there were a number of state grants and opportunities and this information would go with the symposium also. He would look to bring state and federal persons in to discuss.

D. Poliquin suggested having an update by September 16, 2013 (the same date as the symposium).

- *Goal: Town Report to be completed in February for earlier distribution.*

J. Sherman suggested a date of February 17, 2014.

S. Fitzgerald suggested having it turned in to the printer by the 17<sup>th</sup> and then 10 days later returned for distribution.

## **TOWN MANAGER REPORT**

S. Fitzgerald:

- Discussion and recommendation of the Highway Supervisor regarding the Trade in of the 2006 Ford F-350 towards the purchase of a new 2013 Ford F-350. Grappone Ford in Concord is willing to give the Town \$10,000 for the 2006 truck towards the new truck purchase.

D. Poliquin thought the price was really low (\$10,000) and he would like to get a better value.

S. Fitzgerald noted they could go back to the dealer and ask for a better bid or they could go out to bid.

R. Gray suggested the Highway Supervisor Dan Garlington go back to Grappone Ford and see if they could get a little more on the trade in value.

D. Poliquin did not think Grappone Ford's offer was a fair offer.

- Discussed Second-Hand Dealer/Pawnbroker Licenses and the Police Chief's recommendation to waive the fee for Naser Jewelers and Northstar Music Center of Plaistow.

***Motion by J. Sherman to follow the recommendation of the Plaistow Police Chief to waive the 2013 annual Second-Hand Dealer/Pawnbroker Licenses for Naser Jewelers and Northstar Music Center of Plaistow.***

***2<sup>nd</sup> by D. Poliquin.***

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

***Motion carries.***

## **OTHER BUSINESS**

R. Gray discussed letter he received from the Plaistow Exchange Club. They have invited the Town to a meeting tomorrow night to accept an award: So Proudly We Hail. The award is to honor Americans who display the American flag outside their home or business. The awarded ceremony is scheduled to be held at 6:30 pm at the Plaistow Public Library. Board members were unable to attend so he suggested for Mr. Roy Jeffrey to go in their place to receive the award on behalf of the Town.

J. Sherman discussed Boston Strong Boot Camp for all ages and fitness levels which are scheduled to take place on Sunday, April 28<sup>th</sup> Rain or Shine at 92 Newton Road in the field between DeClerck Gallery and the Rockingham Church. Donations received will benefit the One Fund of Boston. This is not a Town sponsored event.

S. Fitzgerald noted he would have the information posted to Channel 17.



D. Poliquin discussed the Spring Carnival held on the Town Hall Green. It was a successful, low cost, no cost event. He congratulated and thanked all involved and suggested everyone should check out the Library events during school vacation week.

### **SIGNATURE FOLDER**

R. Gray noted the Manifest and Signature folders were going around.

### **SELECTMEN'S REPORTS**

R. Gray noted only time sensitive items would be discussed so the Board could move on to their next bit of business with Town Solicitor Attorney Sumner Kalman. The Board would be discussing the BTLA hearing regarding the Beede land and their decision under Legal Matters in Non Public Session. A decision would be made on the appeal of the case and the decision will disclosed at their next meeting.

### **BLTA – NON PUBLIC RSA 91-A:3 II (e) LEGAL – SUMNER KALMAN (BEEDE BTLA)**

Motion by D. Poliquin to go into Non Public under RSA 91-A:3 II (a) Personnel, (b) Hiring of a Public Employee and (e) Legal.

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

***Board polled: R. Gray=yes; J. Sherman=yes; J. Ingerson=yes; D. Poliquin=yes (absent: M. Curran)***

Public Meeting adjourned at 8:16 pm.

Respectfully Submitted,  
Audrey DeProspero