



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

PLAISTOW BOARD OF SELECTMEN MINUTES:

DATE: January 13, 2014

MEETING CALLED TO ORDER: 6:33 PM

SELECTMEN:

Chairman, Robert Gray
Selectman, Michelle Curran
Selectman, Daniel Poliquin arrived 6:36 pm

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

AGENDA:

MINUTES:

Motion by J. Sherman to approve the minutes of December 30, 2013 as written.

2nd M. Curran

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

Motion passes.

Motion by J. Sherman to approve the minutes of January 6, 2014 with one correction on page 2, 3rd paragraph, to replace the word vote for with the word submit.

2nd M. Curran

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

Motion passes.

PUBLIC COMMENT:

Eric Robinson, Board of Director of the Sad Café, states for the record that the Sad Café is and will remain a substance free and alcohol environment. In the interest in generating revenue, in order to be self sustaining, there has been a consideration of allowing patrons to bring their own alcoholic beverages on certain occasions in the future. The new board of directors are business oriented. This past weekend 132 local kids where serviced at the Sad Café and had 52 performers.

J. Sherman inquires whether there were any events in the year 2013 where alcohol was served.

E. Robinson states, No.

J. Sherman inquires whether it is a consideration for 2014, that alcohol may be served.

E. Robinson states: No, not at any time in the future.

OLD HOME DAY – HALEY BUSH, CHAIR

H. Bush distributes a packet that includes a schedule of upcoming Old Home Day Meetings, an Agenda for the meeting, a review of the events of the meeting and a list of Committee members. The date for Old Home Day working in conjuncture with the Lions Club has been set for June 21, 2014. A discussion regarding vendors and payments utilizing Paypal took place.

S. Fitzgerald states he will review the Paypal option. Municipalities are governed by specific RSA's for accepting funds, this will be looked into.

H. Bush continues, many topics are in discussion, a new vendor layout, and bringing the car show back to Pollard School. Friends of Recreation expressed interest in assisting with a baking competition. Nominations for a Grand Marshal for the parade and a float contest with a prize for the best float. Fire and Police Department involvement interacting with the public doing activities such as a Smokehouse and fingerprinting. The next Committee meeting is scheduled for 2/9/14.

J. Sherman inquires whether the committee is still seeking members.

Haley Bush responds, Yes.

WELFARE GUIDELINES REVIEW

Discussion postponed until 1/27/14

REVIEW OF 2014 PROPOSED BUDGET

*Motion by J. Sherman to reduce the funding of the Sad Café to \$1,000.00
2nd by R. Gray*

J. Sherman states they provide a worth wild service and that the reduction would be appropriate.

D. Poliquin states that he isn't confident that this organization is viable and the originally requested information for the application process was not completed on time and it has been difficult getting the required information. The action of the previous Board of Directors exiting is concerning.

E. Robinson states that he is new to the organization and is under the impression the reason the previous board of directors left was due to the Rockingham Southern NH Coalition withdrawing their funding.

M. Curran states she feels that the mission has changed and the programs that the Town supported are no longer being offered.

*Vote: 2-3-0 (J. Ingerson, M. Curran, D. Poliquin)
Motion fails.*

*Motion by M. Curran to withdraw the full \$5,000.00 from the Sad Café.
2nd by J. Ingerson*

J. Ingerson states she feels that there should be more teenage programs, and felt that a suggested, "bring your own bottle night" would be moving away from the mission statement.

Vote: 3-2-0 (R. Gray, J. Sherman)

Motion passes.

S. Fitzgerald states there is an adjustment to bring forward, The Tax Collectors budget had a format error causing a \$6,324.00 reduction. These are corrections bringing the Tax Collectors budget to \$50,816.00. The Board previously voted on \$51,032.00, which is \$216.00 more.

Motion by J. Sherman to correct the Tax Collectors Office Budget to the amount of \$50,816.00.

2nd D. Poliquin

Vote 5-0-0

Motion passes.

R. Gray inquires if there is anything anyone wants to bring up prior to the Public Hearing for the Budget Committee.

REVIEW OF 2014 PROPOSED WARRANT ARTICLES

S. Fitzgerald reviews the Warrant Articles to show the updates highlighted in blue. Capital Reserve Fund balance is now included as are the available balances of the other capital reserve funds.

Highway Department Equipment Capital Reserve Fund has a balance of \$128,828.96 as of December 31, 2013.

Communications Radio Repeater Enhancement the summed the figures for Appropriation, Developer Contribution and Withdrawal from unexpended fund balance.

Fire Department Capital Reserve available balance is \$118,753.40 as of December 31, 2013.

Cell Tower Capital Reserve available balance is \$163,240.07 as of December 31, 2013.

Building Systems Capital Reserve available balance is \$7,980.72 as of December 31, 2013.

Fire Suppression Pump and Pump House Capital Reserve available balance is \$140,055.35 as of December 31, 2013.

Conservation Fund available balance is \$54,992.00 as of December 31, 2013. The Forestry Fund available balance is \$26,841.00 as of December 31, 2013.

Reduction of Budget Committee Members language that has been reviewed by Atty. Kalman and Atty. Sanderson, from the Municipal Association. *“Shall the town vote to reduce the composition of the Budget Committee as allowed under RSA 32:15?”* Plaistow’s Municipal Budget Committee would then be reduced to 9 members effective March 10, 2015 all existing members would serve out their terms as duly elected.

R. Gray states the; **[Intent: Per NH 32:15, 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 if only 6 of the Committee members are available.]

***Motion by J. Ingerson to post this to the warrant.
2nd by M. Curran***

Discussion occurs regarding the wording and usage of the number of members listed in the Article.

J. Sherman states to add the word "elected", reading 12 elected members.

Consensus of the board to add the word elected.

***Vote: 5-0-0
Motion passes.***

J. Sherman reviews a previous article correction, P-14-12 Building Systems Capital Reserve Fund. The Budget Committee vote should be 7-0-0.

D. Poliquin states the Warrant Article P-14-16 Replacement of the fence at the Town Cemetery wishes to clarify his vote. I am not against it, I had abstained from the vote due to involvement in the project.

***Motion by J. Sherman to recommend Article P-14-16.
2nd M. Curran
Vote: 5-0-0
Motion passes.***

***Motion by J. Sherman to recommend Article P-14-21, Disposing of Tax Deeded Property.
2nd D. Poliquin
Vote: 5-0-0
Motion passes.***

Motion by J. Sherman to recommend Article P-14-22 as printed in the Town Manager Report of January 13, 2014.

S. Fitzgerald states the Town Clerk recommended a change to the language, specifically the last sentence in the warrant: The salary of a newly elected town clerk and tax collector shall be set by the Board of Selectmen based on experience and education.

2nd J. Ingerson
Vote 3-2-0 (M. Curran, D. Poliquin)
Motion passes.

S. Fitzgerald states that this Article originally P-14-15, has been returned to the Article Listing upon review of the Impact Fees. The town originally supported an impact fee with a 20% split. Money that was raised through the Public Safety Impact Fee would go to fire apparatus changed in 2008 when it was reduced to 13%. The interest that has accrued to the entire fund was never broken out on that percentage. Upon review by G. Colby he is showing that there is \$15,000.00 attributable to the Public Safety Impact Fee earmarked in the sub account for fire apparatus.

R. Gray inquires how much money is in the account as a whole.

S. Fitzgerald states that there is \$83,000.00.

R. Gray states that previous Town Manager Reports show an RFP for the Safety Complex was more than \$25,000.00 – \$27,000. Subtracting \$27,000 from the \$86,000.00 which leaves \$59,000.00. What happens with that balance.

S. Fitzgerald responds that it is in a special account that is designated for other purposes.

R. Gray responds that the S. Fitzgerald is saying that the allocation of the funds is for 3 specific things not 2.

S. Fitzgerald not recommending using the balance of that fund for that purpose. The balance is \$19,000.00, using \$15,000.00 is a safer figure.

D. Poliquin inquires what portion of the fund would the \$19,000.00 be drawn from.

S. Fitzgerald responds apparatus.

Discussion occurs as to who would have set the designated portions, why and how.

L. Komornick speaks stating in 2002 that there was no break out for apparatus, in 2004 the 20% split was voted for at town meeting were we included apparatus, in 2007 we hired B. Mayberry who reviewed it changing it from 20 – 18%, it was not necessary to go to town meeting because the fee schedule was changed based on the formula.

Motion by J. Sherman to recommend replacement of article P-14-XX the Fire Department Command Vehicle on page 11 of the updated Town Warrant.

2nd D. Poliquin

Vote: 5-0-0

Motion Passes.

R. Gray begins with reading the Collective Bargaining Agreement (Police Union) Article P-14-XX, *“Shall the Town vote to raise and appropriate the sum of \$41,444.80 for the current fiscal year and to approve the items included in the proposed 9 year collective bargaining agreement reached between the Town of Plaistow and Teamsters Local 633 Union comprised of Police Officers, Dispatchers and Administrative staff. The contract calls for the following increases in salaries and benefits.”*

2010 = 0% increase,	\$0 Est. Gross Payroll Cost,	\$0 Est. Health Ins. Savings,	\$0 Est. Net Contract Cost
2011 = 0% increase,	\$0 Est. Gross Payroll Cost,	\$0 Est. Health Ins. Savings,	\$0 Est. Net Contract Cost
2012 = 0% increase,	\$0 Est. Gross Payroll Cost,	\$0 Est. Health Ins. Savings,	\$0 Est. Net Contract Cost
2013 = 0% increase,	\$0 Est. Gross Payroll Cost,	\$0 Est. Health Ins. Savings,	\$0 Est. Net Contract Cost
2014 = 2% Wage,	\$41,444.80 Gross Payroll,	\$ 6,006.88 Health Ins.,	\$35,437.92 Net Contract Cost.
2015 = 2% Wage,	\$33,580.74 Gross Payroll,	\$13,551.66 Health Ins.,	\$20,029.08 Net Contract Cost.
2016 = 2% Wage,	\$30,188.94 Gross Payroll,	\$16,356.98 Health Ins.,	\$13,831.96 Net Contract Cost.
2017 = 2% Wage,	\$27,830.64 Gross Payroll,	\$17,174.83 Health Ins.,	\$10,655.81 Net Contract Cost.
2018 – 2% Wage,	\$ 6,957.66 Gross Payroll,	\$ 4,398.43 Health Ins.,	\$ 2,559.23 Net Contract Cost.

[Intent: This seven-year police contract averages increases to the salary matrix of less than 1% per year (plus non retroactive step increases for those who are eligible.) the contract reduces the

rate of cost sharing for health insurance from 90/10 to 85/15% over the term of the contract. The savings from the health care reduction is estimated to be \$57,488.78 over the years of the contract (2010 – 2017). The estimated health care cost savings achieved through this contract represents approximately 40% of the total cost of the wage increase. The contract also calls for minimum usage of ETO Time for all members of the unit (reduction of annual Earned Time Off (ETO) buyout); ETO time “Hard Cap” for all members of the unit capping financial liability of the Town; ETO time buy out reduced from biannually to annually (January). This agreement is for the period from April 1, 2010 through March 31, 2018.

Discussion occurs regarding contract negotiations and length of the contract, and terms of payment.

S. Fitzgerald states that it spans 9 years, minor costs in 2013, and 2018. The 2% wage increase is not part of 2018. 2018 is not a contract year.

J. Sherman inquires if the DRA has reviewed this Article.

S. Fitzgerald answers no, but if approved I will send it out to them tomorrow.

R. Gray states that the estimated net over the life of the contract cost is \$81,000.00 total.

S. Fitzgerald states that the estimated Healthcare savings are real and significant with this contract. The ETO time usage savings.

Motion by J. Sherman to recommend the CBA Police Union Article P-14-XX page 11 updated list of Warrant Articles changing the chart to reflect 2% removed from 2018 and the last line 2018.

2nd J. Ingerson

Discussion occurs regarding the 2% for 2018. Take out the reference to 2018.

J. Sherman will change the motion.

Vote: 3-2-0 (M. Curran, D. Poliquin)

Motion passes.

D. Poliquin states there is Legislative action regarding elected Town Clerk / Tax Collector positions.

S. Fitzgerald states there is a bill before the State Legislator that would allow a Board of Selectmen or Town Manager to appoint a Town Clerk rather than be elected. Suggests sending a correspondence to Rep. Major. And Senator Morse regarding the subject.

TOWN MANAGER REPORT

S. Fitzgerald:

- End of Year Adjustments in the Signature Folder recommended by Greg Colby to Capital Reserve Funds.
- Raffle Request from Timberlane Athletic Council.
- 2nd Hand Dealer/Pawn – 125 Tools.
- Public Safety Complex information being received from vendors.

J. Sherman states the Warrant article calls for 4 openings in the Budget Committee it should be changed to 3.

- Plaistow Library has submitted their request for payment.
- Comcast price changes.

R. Gray states the level of service is not increasing as fast as the price rate increases.

S. Fitzgerald states he is looking into a “proof of performance” for performance based issues regarding the quality of service. It is an FCC issue, will discuss further with Atty. Epstein and Atty. Kalman. This is an opportunity because we are renewing our contract and other competitors have been and will be contacted.

D. Zanello states that most communities are all almost exclusively on Comcast. Fios or other land connection competitors, all of the equipment is owned and operated by Comcast.

R. Gray would like to send a letter from the Board directed to rate and service issues and concerns.

D. Zanello continues that getting service problems resolved is difficult. The region is saturated by Comcast and the Public Cable Access channels may not be available on satellite. He will co-ordinate with S. Fitzgerald, Atty. Epstein and Atty. Kalman regarding the services available to the town.

- Xfinity Channel Change.
- Brian Woodworth Correspondence.
- NH DRA 2010 Update.
- Plaistow Recreation celebrates Chinese New Year, January 21st.
- Arsenic in Plaistow Wells – Timberlane High School issued notice.
- Planning Board upcoming meeting.
- Budget Committee Meeting.
- 2014 Town Budget Tax Projection.
- Meeting with Timberlane Superintendent invited to be on the Agenda 1/27/14.
- Snow Storm cost approximately \$50,000.00

J. Ingerson inquires what the process is for vendors who provide snow plowing for the town.

S. Fitzgerald responded that the Highway Supervisor reviews the applicants for town snow plowing.

J. Ingerson inquires if Certificate of Insurance is required.

S. Fitzgerald states that it is and he will look into those.

OTHER BUSINESS

J. Sherman inquires regarding the Methadone Clinic.

S. Fitzgerald states he would like to get the board on record as being against it, specifically opposing the state line neighborhood as a dispensary of Methadone. He has also asked Atty. Kalman to look into this.

J. Sherman along with Consensus of the Board requests the Town Manager to draft a letter addressed to the Zoning Board of Adjustment in Haverhill. Including a contingent from our town to attend that meeting.

S. Fitzgerald states Spectrum Health Care has applied for an occupancy permit to open in that area. A letter can be drafted for next week

S. Fitzgerald states that Chief Savage is very concerned about public safety and this issue.

SIGNATURE FOLDER

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

SELECTMENS REPORTS

J. Sherman:

- In general in favor of the Town Clerk being converted to appointed position, would like to view the legislative bill.
- Budget Committee met last week supported the same operating budget as the Board of Selectmen and also the warrant articles.

M. Curran:

- Elder Affairs not scheduled for January.
- Attended Family Mediation next Wednesday evening.

J. Ingerson:

- Would like to be notified when the Zoning Board of Adjustment hearing is in Haverhill for that Methadone clinic.
- Old Home Day Committee great support for Haley Bush.
- Cable Advisory meeting is changed to the 22nd.
- Conservation Commission is meeting this Thursday.

D. Poliquin:

- Recreation Commission meeting next Monday night.
- Legislation bill being presented for Town Clerk position.

R. Gray:

- Letter received from Highway Safety Agency.
- Mark Fougere coming before Planning Board Wednesday evening.
- Electrical bill from this past December – huge increase. Billed for service fee based on kilowatt hours used, never was billed for this before.
- Announcing will be retiring from public life in March, following 21 years of service.

Public meeting adjourned 8:44 pm.

Respectfully Submitted
Kerry Lee Noel

