



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

**PLAISTOW BOARD OF SELECTMEN MINUTES:**

**DATE:** March 2, 2015

**MEETING CALLED TO ORDER:** 6:37 PM

**SELECTMEN:**

Chairman, Daniel Poliquin  
Selectman, Michelle Curran  
Selectman, Steve Ranlett

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

**AGENDA:**

**MINUTES:**

*Motion by Steve Ranlett to approve the minutes of January 31, 2015*

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

*Vote:5-0-0*

*Motion passes.*

*Motion by John Sherman to approve the minutes of February 23, 2015*

*2<sup>nd</sup> by Steve Ranlett.*

*Vote:5-0-0*

*Motion passes.*

**PUBLIC COMMENT:**

None

**DEDICATION OF TOWN REPORT TO ROSEMARIE BAYEK**

S. Fitzgerald explains that Rosemarie Bayek is here tonight before the board to explain why she has not collected the back taxes from the Testa Property.

D Poliquin thanks Rosemarie for all her hard work.

J. Sherman states that because of Rose's dedication and hard work the 2014 Town Report is dedicated to her. J Sherman reads a portion of the dedication found in the Town Report.

Rosemarie states for the first time in her life she is speechless.

The Framed dedication is presented to Rosemarie. She thanks the Board and all in attendance.

S Fitzgerald states that that is not all- Rosemarie is presented with a rocking chair with the Town Seal and her years of service as Tax Collector and Treasurer.

There is a 10 minute intermission.

D Polquin states that these are the fun things they get to do as a Board. It is great to honor and recognize those residents that has given so much to the Town.

**CLIFF SINNOTT, DIRECTOR ROCKINGHAM PLANNING COMMISSION, MPO UPDATE**

Cliff Sinnott is invited in the conversation regarding the MBTA extension. Chris Sununu, Executive Council, is quoted in an article in the Union Leader that the Town manager is the only one who wanted the extension and he would not likely vote for the extension.

J Sherman asks Cliff Sinnott and Tim Moore to confirm that HDR stated that an extension would be a good idea and if not granted they would have to cut the quality and the environmental study would not be complete.

Cliff Sinnott states that the Rockingham Planning Commission also sent a letter to the DOT recommending an extension explaining the environmental assessment but also the town vote and needing to gather the input that comes with public information meeting, and town meeting and not to rush it

A 3 month extension is not unusual – there is not extra cost to extend the study. It is not a big deal. At this point we are probably 2-3 months behind the initial calendar of the project so a 3 month extension is in line with that reality.

S. Ranlett discusses his conversation with Chris Sununu and how he disagrees with his statements of not voting for extension and that there is enough information out there for residents to make a decision on the commuter rail.

D Poliquin states part of the issue is the agreement with the NH DOT was not to post draft documents and the Board could not engage the residents until the study is accepted by the Board. Many boards and commissions will need to review the study and this will take some time. He believes Chris Sununu is not in favor of this money coming to Plaistow, he wants that to go to the 93 corridor or bus transportation and has said this here at a meeting. He wanted a prior board to sign an agreement that there were certain properties not to be included for consideration. That agreement is not legal; as you cannot enter an agreement that ties the hands of future boards. There will be further discussions.

J Sherman states that the Rail study will be finished, no one can stop that. The question is whether it will be done by march 31<sup>st</sup> or by an extension.

C. Sinnott notes that either Ron O'Brien or Patrick Herlihy had been discussed that if the study was rushed and not all able to incorporate all the public comments in to the draft, there would be some obligation to go back and fix it. If the contract is done then there is potentially a problem there. He suggests a letter to Councilor Sununu.

S. Fitzgerald states there is a draft letter to Councilor Sununu and he doesn't realize the extent of the problems there would be not extending the contract. There are unnecessary risks and potential liabilities that would be unnecessary. There is no additional cost to extend the study and only good things to come of it, more information. He seeks the Boards thoughts and suggestions and send that letter up to Councilor Sununu and also invite him back to Plaistow for a meeting with the Board.

J Ingerson asks when we expect to see parts of the study, not drafts the study.

D Poliquin states on March 31.

J Sherman states he was originally against the extension due to his concerns with the approval process. He reads a FAQ from the hand out from the meeting on Feb 24, 2015. The NH DOT will not proceed unless directed to do so by the Town after the study. He is now in favor of the extension request.

S. Fitzgerald states the original agreement outlined by the Town where the Town would have a chance to say No.

D Poliquin notes that there had been a price tag attached to this project and it is in the range of \$51 million. It has been put out there that Plaistow is responsible for a portion of this Plaistow is not responsible for any monies at this time.

Any money put forward would be the grant money that have been received though CMAQ or other grants received. No money needs to be raised and appropriated. This information is available on the Town's website on this process. This is factual information available to the public but we are not necessarily allowed to put forward.

C. Sinnott states that this is not just a simple yes or no response, there are many things to consider. Operating agreement, how the station will be maintained and who will be responsible.

S Fitzgerald states there are many residents in favor of a commuter rail station though there are concerns with a layover station. A complete study would allow analysis of the findings. It seem things are being rushed and an informed decision won't be made.

D. Poliquin states the citizen petition warrant article is not legally binding on this board. That is not to say the Board doesn't listen to the voters. In the vote a few years ago there was roughly an 82 vote difference in those that were in favor or opposed to moving forward with a commuter rail study. In a community of 7000 residents and 4000 registered voters, we would like to hear from all the resident, We normally hear for those that are against.

J. Sherman states it is up to the voters to decide and that has always been the Board's stand. If residents vote against warrant article 18 , they are taking away the Board's ability to hold a special town meeting for the town to vote on the commuter rail. The Board's warrant article is binding on the Board as it was submitted by the Board of Selectmen.

Discussion ensues regarding the fact that the Board and the Town have the authority to proceed with the project. The DOT is a discretionary project and will not proceed without consensus. The DOT is supportive but not taking the initiative on the project.

S. Fitzgerald notes this is a unique project. Due to the fact that we have the track rights agreement, we were able to negotiate an affordable project, it will likely not cost the town anything. We do not have the final drafts, though this project could significantly enhance transportation options for this region. It's not just about Plaistow, it's about the entire region and economic development.

Incorporating rail in a town has attractive attributes with benefits though comes with some costs. The layover is a not a dream but a support service to the rail. The layover site they believe will work minimizes negative impacts. Transportation systems need to be balances, need more than just automobiles or you have situations like what happened in Boston with the MBTA after the blizzard when the transportation system shut down. Need different modes of transportation options.

Discussion ensues regarding alternate modes of transportation and the Alternative 1 was taken off the table as non-operational and they were not willing to absorb the cost of operating a a layover in Mass and a station in New Hampshire. Alternate sites are discussed and once the study is in to engage officials to discuss these options further.

D Poliquin notes that all three sites discussed have the ability of plug in and overnite storage of a unit at each of the stations.

S. Fitzgerald states Alternative 1 is operational impractical so it has been taken off the table as it would be a Massachusetts service operating in New Hampshire. It is likely the MBTA will build a

layover station that can fit the number trains they need for that line. Right now there is a train that runs to Boston empty because they can't store it on the existing tracks in Bradford. There is pressure to move that, so if Plaistow can capitalize on providing rail service while mitigating the effects of the layover, which can work in North Haverhill, just impractical due to the cost. It is possible with more discussion to make that site work. Plaistow is in a good position and will not be forced into making any decision, there is no urgency other than trying to figure out we support keeping Plaistow sustainable.

J. Sherman notes that if this project fails in Plaistow it will most likely go back to Haverhill and then the Plaistow residents will have no say in the project.

Investments In transportation infrastructure will help gain the lost valuation back to support the high quality of life in Plaistow.

J. Sherman notes that air quality would not improve nor would it get any worse. He inquires as to why Haverhill is not involved in the PAC

C. Sinnott states Haverhill is not engaged in this, they seem to be waiting to get engaged. North Haverhill layover site has been portrayed as not operationally a good fit for them but that doesn't mean that is the end of the story. It means this unique situation that would have allowed unsubsidized service that New Hampshire would not be responsible for which would be a more difficult question as to where that money would come from. Estimated cost is \$400-\$500 thousand a year for subsidy if no layover near-by, we would be charged for the 5 miles the train comes up each day.

S. Fitzgerald states Plaistow the fares would not generate enough revenue to cover those costs. It would work financially though there could be state or federal funds to subsidize though there would be competition for those transit funds.

D. Poliquin asks C. Sinnott if there are other updates he wished to discuss.

Rockingham Planning Commission goes through a process every 2 years, updating and verifying their long range plan with the Towns to make sure the Towns themselves are in agreement with their transportation priorities. These plans will end up in the Governor & Council's and their 10 year plan. His goal is to get some of this region's priorities in that 10 year plan. Plaistow has some priority projects listed in the plan:

- Main Street
- North Ave Intersection Improvement
- Rte 125 widening
- Westville Road bridge

He is looking for response to these projects – if he doesn't hear back then they will assume these projects are still a priority.

Every 2 years they attempt to add projects to the plan.

Discussion ensues regarding different types of projects that are more lengthy and how they are prioritized. Hazard mitigation plan is discussed. Eligible for Hazard Mitigation funding through Homeland Security called Pre Disaster.

S. Fitzgerald states that he would like to add more intersections in the Main Street Calming project plan as that would promote pedestrian safety.

C. Sinnott agrees and states that project is in the plan though there is insufficient identification of individual projects. Priorities need to be addressed.

TAP Grant was discussed as it was not awarded. C Sinnott stated that Plaistow did well, Plaistow has a good project and should keep trying. Can this be rolled up into the Safe Routes to School project. C. Sinnott agrees that could work.

The Board thanks both C. Sinnott and T. Moore for coming in tonight,

### **Town Managers Report**

Town Meeting- Tuesday march 10 – Polls open from 7 am to 8 pm

MBTA – Extension Request to Executive Council- Discussion ensues regarding the extension requested.

Comcast Negotiations- Contract extension- status quo- suggest regional meeting for 4 communities regarding school district-

MS-4 Stormwater Report- New permit to reduce bacteria in Kelly Brook

NH DES- MtBE- GREE- potential areas of MtBE contamination

Public Safety Complex- Public Information night Thursday march 5<sup>th</sup> 6 pm

Safe Routes to School- Contract negotiations continue

NHMA Right to Know Seminar- March 12th

Women in Leadership- 2<sup>nd</sup> Annual – Nominations due

Dave Bowles – Retired – 20 years of service

Security improvements for Town Hall

Alden Palmer Land Swap

Bond Council- They are comfortable with the way it is stated that there should be no problems.

Commuter Rail Warrant Articles-a petition warrant article does not bind the governing body. How the question is framed is important

J. Sherman inquires if there is a purpose & need report. S. Fitzgerald states yes in draft form. J

Sherman requests a copy

### **ACTION ITEM REVIEW**

D Poliquin states that he has noticed that there is nothing on the center schedule on the Town's web site. Spring is approaching and would like to give residents a heads up when the range will be in use.

### **OTHER BUSINESS**

J. Sherman requests to clarify a mistake made at the Deliberative Session. It was noted at the Deliberative session that there would be increased traffic on Elm Street resulting from the Public Safety Expansion. J. Sherman stated to the Viera's that there would be no additional traffic. He was mistaken as he was only thinking of the expansion and not thinking of the new development.

M. Curran would like to remind JRM not to throw the barrels after emptying them. Plastic becomes brittle in the cold.

She inquires about a sign on Chandler Ave for sale of elderly apartments. This was supposed to be elderly housing and has that site plan changed where some units are for sale and some for rent.

M. Curran request a status of the elderly housing project on Chandler Ave.

S. Fitzgerald will contact the developer to get answers.

### **SIGNATURE FOLDER**

D. Poliquin states the manifest and signature folder are going around.

## **SELECTMENS REPORTS**

M. Curran- Nothing to report.

J. Sherman: He reads statement that he read at the Timberlane School Public Hearing:

“The Plaistow Board of Selectmen, by consensus, is opposed to changing the Articles of Agreement as proposed by warrant Article #10 on the 2015 Timberlane School district ballot. We are unanimously not in favor of changing the school district funding formula so that All school district expenses, both operating and capital costs are based on equalized property valuations. If any change is to be considered, we would instead support apportioning all school district expenses based on school enrollment (Average Daily Membership).”

The proposed change is that all 4 pay the school districts costs per equalized value not enrollment. This would decrease Danville and Sandown’s expense and Plaistow and Atkinson’s would increase. Atkinson would bear the brunt of this change.

J. Ingerson- Nothing to report.

S. Ranlett- Nothing to report- though has a response to M. Curran inquiries on Chandler Ave. It is both age and income restricted. It is both owner occupied and rental units.

J. Ingerson states that NH Housing has strict guidelines and will enforce the guidelines.

M. Curran inquires about the town ordinance that was in force when the site plan was originally approved and if the site plan has changed. Steve Lewis is using the same site plan.

Discussion ensues regarding the ordinances that apply to this project, if the site plan has changed and how this affects the Town.

D. Poliquin- Nothing to report.

***MOTION BY S. Ranlett TO ENTER INTO NONPUBLIC SESSION BY: under RSA 9-A: 311 (a) Personnel, (b) Hiring, (d) Negotiation, (e) Legal***

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

***Board Polled: D. Poliquin = yes, J. Sherman = yes, M. Curran = yes, S. Ranlett = yes J. Ingerson=yes***

Public Session adjourned at 8:54 pm

Respectfully submitted,

Gayle Hamel  
Recording Secretary