



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

Plaistow Board of Selectmen Minutes

Date: June 14, 2021

Meeting Called to Order: 6:30 p.m.

Roll Call:

Select Chair, Darrell Britton
Selectman, Greg Taillon
Selectman, Bill Coye

Select Vice Chair, John A. Blinn, Sr.
Selectman, Jay DeRoche
Town Manager, Mark A. Pearson

Also present: Beth Hossack, Recording Secretary.

Minutes

G. Taillon motions to approve the June 7, 2021, minutes. Seconded by J. DeRoche.

Discussion: J. DeRoche states on page 2, line sixteen, B. Kinkaid should be replaced with Rob Taylor from Recycling Partnership.

Vote: 5-0-0

Motion carries.

D. Britton asks M. Pearson if he wants to discuss anything regarding updates on COVID-19 Protocols.

M. Pearson replies, information has been provided to the Board to read over. It is on the agenda for next week. In respect to tonight's meeting, he would like to say a few things as he has asked for this meeting.

D. Britton replies, yes.

M. Pearson states as Town Manager he has a right to hold a discussion in public with the Board regarding his job performance. That is his choice. He states two (2) weeks ago at an agenda meeting, he was approached by the Chair, who mentioned it was time to replace him. Last Monday he had another meeting with the Chair. Discussion occurred regarding a fair and equitable resolution with the Board. M. Pearson asked for a meeting with the full Board which brings us here tonight.

M. Pearson states he has been here for four (4) years and four (4) months. Last year he signed his second three-year contract with two (2) one-year renewable clauses. There are twenty-four (24) months on the contract as of July 1, 2021. That contract was signed in good faith. There were some things he got and some things he did not get. He did pass up other opportunities to sign the contract with Plaistow to continue with projects. The biggest one is the water project. We are now four (4) years into the project, and the connections will be five (5) years in. He made a commitment to see that through. The Board may change direction which is all well and good however with negotiations there are two (2) parties and good faith.

M. Pearson mentions some of the other projects he worked on including the Public Safety Complex, Public Works Garage, Westville Road Bridge, Pollard Road Culvert, P.A.R.C., Salt Shed and the Landfill Cover. All goals established for him have been met and exceeded. He accomplished things not on the list such as trash and assessing. During his tenure, no grievances or lawsuits have been filed other than a few frivolous grievances. Also, there have been no terminations. Some employees have retired, resigned, or moved on. When he came to Plaistow in 2017 Primex had Plaistow in a Mitigation Agreement. Any complaints received followed the same process:

- Contact Human Resources
- Notify Primex
- Hire an Employment Attorney, if needed
- Follow due process.

Employment decisions were never made exclusively by him. There are issues that do not get brought to the Board and cannot be discussed with the Board except in very general terms. Some of the personnel issues he has had to deal with include:

- Anti-Semitic social media threats against another employee
- Fire-explosion
- Faulty inspections
- Drive by inspections
- Inspectors working with expired certification
- Town vehicle misuse
- Town vehicles driven out of state
- Drinking & drugs
- Sexual harassment
- Civil rights
- Vehicle accidents
- Computer misuse
- Refusing to do certain duties.

M. Pearson mentions a few more accomplishments. Over the last two years the town portion of the tax rate has been lowered by 15%.

The Town has received over 11 million dollars in grants. Just last week he received a \$274,000. grant. The value of the water project is 30 million. The most recent audit report was unremarkable. He does not feel there is just cause to remove him. The Board does not know everything as the law does not allow it. He cannot stop people from talking directly to the Board. To be fair and equitable he suggests all facts should be known and these are the facts.

M. Pearson will answer questions from the Board.

No one asks any questions.

G. Taillon asks D. Britton by what authority did you decide alone to start contract negotiations with the Town Manager? His understanding of the law is that all negotiations are done through the majority vote of the Board. The Board needs to act based on majority.

D. Britton replies, he did not negotiate anything. He had a conversation with the Town Manager.

G. Taillon asks each Selectman if the issue was discussed with them.
Each Selectman replies, no.

G. Taillon motions to remove D. Britton as Chair.

J. Blinn states G. Taillon should stop interrogating the Board.

G. Taillon states he is not interrogating the Board. He is trying to determine if there was a group discussion.

D. Britton states there is a motion on the floor, is there a second?

There is no second, therefore the motion is dead.

J. Blinn states, it is his understanding that M. Pearson does not want to leave unless he gets two years of pay. He asks if this is correct.

M. Pearson states he signed a three-year contract last year. He is not stuck on two years however any agreement should be fair and equitable.

There is consensus between M. Pearson and the Board to have M. Pearson leave the room, allowing the Board to enter Executive Session and discuss a fair and equitable agreement.

G. Taillon states he is curious about the reason. M. Pearson just reviewed his performance and there is no reason for cause. Why are we having this discussion?

M. Pearson states there does not necessarily need to be a reason. It would be a separation because the majority of the Board wants to move in a different direction. He will entertain a solution that is fair and equitable. He is amendable to that.

***J. Blinn motions to enter non-public session under RSA 91-A:3 II (A) Public Employee; (B) Hiring; (C) Reputation; (D) Property Transactions; (E) Pending or Threatened Litigation; (I) Emergency Functions; (J) Confidential Information in Adjudicative Proceedings; (L) Consideration of Legal Advice as permitted by law. Seconded by D. Britton
Board Polled: D. Britton = yes, J. Blinn = yes, G. Taillon = no, J. DeRoche = yes, Bill Coye = yes.
Vote: 4-1-0 (no G. Taillon)
Motion carries.***

M. Pearson leaves the meeting.

D. Britton closes the public meeting at 6:35 p.m.

Public session resumes at 7:39 p.m.

G. Taillon motions to seal the minutes of the non-public session. Seconded by J. DeRoche.

Vote: 5-0-0

Motion carries.

D. Britton adjourns the meeting at 7:39 p.m.

Respectfully submitted,
Beth Hossack,
Recording Secretary