



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

**Plaistow Board of Selectmen Minutes**

**Date:** September 12, 2022

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

**Roll Call:**

Select Chairman, Jay DeRoche - Present  
Select Vice Chairman, Bill Coye - Present  
Selectman, John A. Blinn, Sr. - Excused  
Selectman, Darrell Britton – Remote Participant  
Selectman, Jonathan Gifford - Present

Also present: Greg Colby, Town Manager via Remote Access, Dan Garlington, Highway Supervisor and Beth Hossack, Administrative Assistant.

J. DeRoche asks D. Britton why he is not able to participate in person.  
D. Britton replies, he is recovering from knee surgery.  
J. DeRoche asks D. Britton if anyone is with him at the remote location.  
D. Britton replies, no he is alone.

**Public Comment**

None

J. DeRoche opens the public hearing at 6:31 p.m. He states the public hearing is required by law to allow a cable franchise to provide cable service to the Town. Unfortunately, we cannot negotiate any pricing. He turns the meeting over to G. Colby.

G. Colby states the proposed Amendment extends the term of the current cable TV franchise agreement out until January 31, 2032. It is not an exclusive franchise agreement. Another cable TV company is welcome to approach the Town about getting a franchise in Plaistow, but, to date, none have been interested in doing so. The length of the term is to ensure that Comcast continues to provide cable TV service in Plaistow through that date. It is likely cable TV companies in the future will eventually let their franchises expire and become solely internet service providers. Comcast already provides internet service in the Town. Other internet service providers do as well. Although we have no competition from another cable TV operator in Plaistow, we do have competition from other video providers, such as HULU, Netflix, Disney, Amazon, etc.

This Amendment drops the so-called free cable services at the basic tier that the current franchise offers to municipal and school locations. The basic tier is so minimal that the locations that use cable TV generally subscribe to a pricier tier, which is not covered by the Franchise Agreement.

In addition, a rule from the Federal Communications Commission in 2019 prevents cable TV companies from providing free cable TV services to communities such as Plaistow, if the Town is also receiving franchise fees from the company at the maximum rate, which Plaistow is.

Finally, this Amendment restores the language that requires even-handed taxation for all users of the public right-of-way including the cable TV company, as required by NH law. G. Colby reiterates the changes with the new Amendment are, the length of the term changes from five (5) years to ten (10) years, it drops the “free cable service” which does not change anything as we pay for a higher service anyway and it included required language regarding taxation for all users of the public right-of-way. It is basically an extension of the current agreement.

D. Britton asks if there is a basic tier available for low income, elderly people.

G. Colby replies, no. It was a basic service provided to a few Town locations.

J. DeRoche states the purpose of today’s hearing is to receive the public’s input on the proposal for an Amendment to the cable television franchise with the cable operator in our community, Comcast.

The Board of Selectmen is the franchising authority under new Hampshire law. We engaged special counsel to assist us and conducted an audit to determine whether Comcast has complied with the provisions of the current cable television franchise agreement. We found no areas of non-compliance. We have also reviewed the future, cable-related needs and interests of the community, to inform our negotiations of the Amendment. The proposed Amendment to the cable TV franchise agreement is the product of that work.

The public has been invited to attend this hearing through the Public Notice which was posted before the hearing. Any resident or representative of a local organization who wishes to speak will have that opportunity tonight. Please note that some topics are not included in the existing cable TV franchise agreement, or this proposed Amendment, including:

- Cable TV rates, programming or channel selection,
- Telephone or internet services provided by Comcast.

Those topics are outside the jurisdiction of the Town.

B. Coye states it is straight forward.

J. DeRoche states since there are no more comments, the Public Hearing is closed at 6:38 p.m.

***J. Gifford motions to accept a Cable Franchise Amendment with Comcast of Maine/New Hampshire as discussed at tonight’s public hearing and at the Board meeting of August 22, 2022. Seconded by B. Coye.***

***Roll call vote: J. DeRoche = yes, B. Coye = yes, D. Britton = yes, J. Gifford = yes.***

***Motion carries.***

### **Discussion - Highway Trucks**

G. Colby states the State of New Hampshire will give each town/city additional money this year through the Highway Block Grant and Bridge Aid. Plaistow will receive an additional \$246,000 in funding which can be used to repair roads or on equipment to take care of roads. The Town needs a new highway truck and sidewalk plow. The current sidewalk plow is a 2005 model we acquired three (3) years ago. It helped in the short term however it has significant rust and often breaks down. A new truck is expensive however replacing the body of the truck will be a big help. G. Colby asked

Dan Garlington, Highway Supervisor to get some quotes and attend tonight's meeting. D. Garlington will discuss the fleet and recommendations in more detail.

D. Garlington, Highway Supervisor states we have a 2010 truck. In 2020 a decision was made to put a newer dump body on the chassis. However, it is still basically a 2010 truck. We also have a 2016 truck which has been in the shop frequently. We are spending a lot of money on vehicles that we heavily rely on in the winter. Without more reliable equipment we will be in trouble. D. Garlington also wants to reestablish capital reserve funding for the replacement of highway vehicles every seven (7) years. With the additional money from the State this year, we have the opportunity to make improvements. Based on the quotes D. Garlington received he recommends purchasing a six (6) Wheel Dump Truck Chassis for \$106,000, a Dump body, sander/spreader/front plow and patrol style wing for \$153,900. He also recommends purchasing a sidewalk plow/sander with a boom flail mower for \$196,735. The total cost comes to \$456,635. If all of the additional state funding of \$246,339 is used, we will have a short fall of \$210,296. This could be made up by spending \$110,296 of ARPA funds and taking \$100,000 out of the capital reserve fund.

Discussion ensues with questions asked and answered. G. Colby states a public hearing will be needed to accept and expend the additional highway block grant and bridge aid money. If the Board agrees with the plan D. Garlington will place the order. There is consensus amongst the board to move forward with the plan.

D. Garlington thanks the Board for their support.

D. Britton leaves the meeting at 7:09 p.m.

#### **Approval of Prior Nonpublic Minutes**

The nonpublic minutes from August 22, 2022 are reviewed by the Board.

***B. Coye motions to approve the nonpublic minutes of August 22, 2022 and keep them sealed. Seconded by J. Gifford.***

***Board Polled: J. DeRoche = yes, B. Coye = yes, J. Gifford = yes.***

***Motion carries***

#### **Approve Consent Agenda**

##### **Item Description**

1. Accounts Payable Manifest – September 15, 2022
2. BOS draft minutes – August 22<sup>nd</sup> and August 29<sup>th</sup>, 2022
3. One Tax Abatement for 2020 & 2021 (denied, submitted too late)
4. Recreation Commission New Member – Lucinda Ward

***B. Coye motions to accept the consent agenda as written. Seconded by J. Gifford.***

***Board Polled: J. DeRoche = yes, B. Coye = yes, J. Gifford = yes.***

***Motion carries***

#### **Potable Water Update**

G. Colby state we have ten (10) to twelve (12) customers hooked up and receiving water. We are working on hooking up more and doing outreach based on the waiving of the Plaistow Service Development Charge recently approved by the Board. The Public Safety Complex is also hooked up J. DeRoche states that is excellent news.

### **Town Managers Report**

- Two trees were planted on the Town Green near the big, old sugar maple tree.
- Finalizing the budget.
- The August Expense Report is in the folders.
- Busy with the day-to-day work.
- There has been an increase in welfare cases.

### **Selectmen's Reports/Sharing of Successes**

B. Coye

- Attended the 9/11 Ceremony. He thanks Dean & Beth.
- Attended the Planning Board Meeting. RPC is helping with a survey to get input from residents on what the Town may want to see going forward.

J. Gifford

- Looking forward to the next Recreation Commission Meeting.
- Attended the 9/11 Ceremony.

J. DeRoche

- Attended the CIP meeting.
- Attended the 9/11 Ceremony. He thanks Dean, Beth and all the people who attended.

### **Other Business**

J. DeRoche sends condolences to Sgt. Porter, the Plaistow Police Department and the public regarding the passing of Shadow, K-9 Police Department Dog.

### **Events**

The Primary Election is tomorrow at the Public Works Garage, 144F Main St. The polls are open from 7:00 a.m. to 8:00 p.m.

Some streets did not have their trash collected today. It will be collected tomorrow.

J. DeRoche asks each selectman to take a few minutes and read over and respond to the NHMA Legislative Policy positions for 2023-2024.

Mentions the memo from our Health Officer regarding Covid-19.

As there is no further business before the Board, J. DeRoche adjourned the meeting at 7:21 p.m.

Respectfully submitted,

Beth Hossack, Administrative Assistant