



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

PLAISTOW BOARD OF SELECTMEN MINUTES:

DATE: February 6, 2017

MEETING CALLED TO ORDER: 6:32 pm

SELECTMEN:

Selectman, Steve Ranlett, Chairman - Excused
Selectman, Tammy Bergeron
Selectman, Peter Bracci

Selectman, John Sherman, Vice Chairman
Selectman, Julian Kiszka
Town Manager, Sean Fitzgerald

Note: The Tiger Cubs from Pack 118 are present to visit the Cable Station with Dean Zanello. They lead the Pledge of Allegiance tonight.

AGENDA

MINUTES

T. Bergeron motions to approve the minutes of 1/30/2017. Second by P. Bracci.

Vote: 3-0-1 (T. Bergeron)

Motion passes

PUBLIC COMMENT

Maryellen Pelletier, Town Clerk is here to clarify a few statements made during Deliberative session. The first one is regarding the legality of the Town Manager form of government. Maryellen researched the warrant articles and in 1987 the correct warrant was put on the ballot to change the Town government to a Town Manager Style. The following year an article was placed on the ballot to fund the position of a Town Manager. Both articles passed.

S. Fitzgerald notes that the Department of Revenue Administration would not have allowed this form of government to go on if it was illegal.

T. Bergeron notes that it would be a good idea to have town counsel in attendance for the deliberative session to answer legal questions and concerns. It would prevent false information from being discussed within the town.

J. Sherman recommends these issues should have been brought to the Board of Selectman's attention during a meeting where they could do the research and get the correct answer out to the residents.

The second issue is the Citizen's Petition. P. Bracci stated he did not know anything about it other than he was asked to bring it into the Town Clerk's Office. However a resident told Maryellen that Mr. Bracci had brought the petition to him and asked him to sign it. Another resident stated Mr. Hamilton asked him to sign the Citizen's Petition.

J. Sherman notes that S. Ranlett spoke with Bob Harb regarding the citizen's petition. A case regarding changing a citizen's petition is discussed. The case cites the petition can be changed at a deliberative session per case Kady vs. Town of Deerfield. Discussion ensues. It is noted that citizen's petitions can be changed at deliberative as long as the subject matter is not changed. In

this case it is correct to remove the intent section leaving only the first sentence. This petition requires specific language according to the RSA's.

REVIEW OF 2017 DELIBERATIVE SESSION

J. Sherman reads the title of each Warrant Article. He mentions Article P-17-04, Highway Equipment Capital Reserve Fund needs to be corrected to the Highway Equipment Expendable Trust Fund because that is the name it was given when it was created.

Article P-17-16, Recreation Plan Capital Reserve Fund Deposit is briefly discussed. Some of the money in the current balance is for grants and for items that have been approved such as the Dog Park, but not yet done.

The next item discussed is the Voter's Guide. T. Bergeron notes that she is not in favor of a voter's guide, she requests her name be removed from the document. She states she talked to the Secretary of State.

J. Kiszka states if a voter's guide contains factual information and it not one sided then it is not electioneering and is legal.

The Voter's Guide will be placed on next week's agenda to review and update.

DISCUSSION – INTERIM TOWN MANAGER/SELECTION PROCESS

It is noted that this discussion will occur in a nonpublic session as names of prospective candidates and qualifications will be discussed. J Sherman notes that these minutes will probably be sealed.

TOWN MANAGER'S REPORT

Recognition of Representative Norm Major – 50 years of service

Finalizing the ballot

NH Attorney General Letter

2016 Water Quality Testing results

Consensus of Board to have additional water testing events

Plaistow recognized as one of the safest towns in the USA

PROBARK

Xfinity

Eagle Scout Ceremony

ACTION ITEM REVIEW

All others are reviewed.

OTHER BUSINESS

J. Sherman inquires if any Board member gave a resident a letter/memo from Attorney Kalman regarding the review of certain warrant articles. All Board members said no. This issue will be discussed in the non public session.

J. Sherman mentions the Board will not be meeting on President's Day, February 20th.

T. Bergeron motions to appoint Christina Cruz as a board member to Family Mediation & Juvenile Services in Atkinson, NH effective immediately. Second by J. Kiszka.

Vote: 4-0-0

Motion passes

SIGNATURE FOLDER

J. Sherman states the manifest and signature folder are going around.

SELECTMAN REPORTS

J. Kiszka-

- Will attend PACE meeting Thursday
- Attend Eagle Scout Ceremony on Saturday

P. Bracci-

- Nothing to report

J. Sherman-

- Deliberative Session-Budget less than 1% in operating budget
- Please support Highway Block Grant to help maintain streets in town

T. Bergeron-

- Attended Family Mediation- fundraising
- Attended Public Safety Building Meeting
- Attended Deliberative Session
- Attended Mina Colcord's 100th Birthday celebration

J. Kiszka motions to enter into non-public session under RSA 91-A3:11 (a) **Personnel, (b) Hiring,** (c) Reputation, (d) Negotiation, (e) Legal understanding that both parties have agreed. Second by T. Bergeron

Board Polled: S. Ranlett = excused, J. Sherman = yes, T. Bergeron= yes, J. Kiszka = yes, P. Bracci = yes.

Enter into non public at 7:46pm

J. Sherman adjourns the public meeting at 7:46 pm

J. Sherman states the Board is back in public as they have exited non public.

J. Kiszka motions to leave non-public session and seal the minutes. Second by T. Bergeron.

Board Polled: S. Ranlett = excused, J. Sherman = yes, T. Bergeron= yes, J. Kiszka = yes, P. Bracci = yes.

J. Sherman closes the meeting at 8:32 pm

Respectfully submitted,

Gayle Hamel,
Recording Secretary