



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

PLAISTOW BOARD OF SELECTMEN MINUTES

DATE: July 27, 2020

MEETING CALLED TO ORDER: 6:31 p.m.

SELECTMEN:

Selectwoman, Francine Hart, Chairman
Selectman, Julian Kiszka
Selectman, Jay DeRoche

Selectman, Greg Taillon, Vice Chairman
Selectman, John A. Blinn, Sr.
Mark Pearson, Town Manager

F. Hart calls the meeting to order at 6:30 p.m.

G. Taillon motions to approve the minutes of July 13, 2020. Seconded by J. DeRoche.

Vote: 5-0-0

Motion carries

PUBLIC COMMENT

None

PUBLIC HEARING CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING GRANT

F. Hart opens the public hearing at 6:34 p.m. She turns the meeting over to Fire Chief Knutsen. Chief Knutsen is excited to notify the Board of the grant Plaistow received of up to \$126,592.22. COVID-19 created a lot of changes for Public Safety. On day one (1) overnight staffing for the Fire Department went into effect. These staffing changes have greatly reduced the response time which is especially important for medical calls. The increased costs for payroll were not budgeted for. Chief Knutsen began researching grants to help with the increased costs. He found a grant through the Department of Justice and applied for it. Our community fit the guidelines. The grant proposal had to justify why Plaistow needed the funding and how it would benefit the community. A fourteen (14) page proposal was written and submitted by Chief Knutsen in May. On July 14, Plaistow was awarded the grant. The grant will allow Plaistow's Fire Department to continue 24/7 coverage through the end of the calendar year. The grant covers 100%, no match from the town is required. The grant funding will also cover online training classes, cleaning products, thermometers, and some other items.

J. DeRoche thanks Chief Knutsen for a great job.

J. Kiszka also thanks Chief Knutsen and states his writing style is very professional.

J. Blinn acknowledges the good job done and asks how his family likes living in Plaistow.

Chief Knutsen replies, good. His daughter is in the summer recreation program and loves it. F. Hart asks if Chief Knutsen will work with Greg Colby to make sure we do not duplicate using the same receipts for different grants. Also, has anything been submitted for reimbursement yet. Chief Knutsen replies, he will work closely with G. Colby to prevent any duplication. Nothing has been submitted yet as the grant must be accepted by the Board and a certification of authority must be completed.

F. Hart states Chief Knutsen has been in Plaistow for about six (6) months and has already brought more money to the town than his salary. She thanks him for all his work.

There are no more comments or questions from the Board, or the public F. Hart closes the public hearing at 6:41 p.m.

J. Kiszka motions to accept a Coronavirus Emergency Supplemental Funding Grant of up to \$126,592.22 from the State of New Hampshire, Department of Justice and to authorize Mark Pearson, Town Manager to sign all paperwork relating to the grant. The grant has been awarded to assist the Plaistow Fire Department personnel by improving the safety, health and wellness of the firefighters and community especially during the COVID-19 pandemic.

Seconded by G. Taillon.

Vote: 5-0-0

Motion carries

VIRTUAL (BOSTON) MARATHON PROPOSAL

Beth Moore, 3 Deer Hollow Road is here to ask the Boards permission to run a virtual Boston Marathon in Plaistow.

F. Hart asks Ms. Moore to explain how the virtual concept works.

B. Moore states some people will run, some will jog, and some will walk. The proposed route will begin at the YMCA, continue down Route 125 to Westville Road, to Main Street to Kingston Road to Old County Road to Route 125 then back to the YMCA. The route is five (5) miles. Most people will walk the route once. A few may run up to five (5) laps to resemble a marathon.

F. Hart asks how many people will participate.

B. Moore replies, about fifty (50) total. The participants will be spaced out, not together in a cluster. She would like to have some water stations set up. The suggested locations for water station are the New Hampshire Park & Ride and the Public Safety Complex. Water stations will be manned by friends and family members.

F. Hart asks Officer Schiavone what his opinion is.

Officer Schiavone replies, the Police Department will allow a water station. His concern is safety on some of the main roads and intersections. He would like at least three (3) officers on duty to assist with street crossings.

F. Hart asks if detail funds can be used.

M. Pearson replies, yes, however it is up to the Board to decide. In his opinion he thinks it is worthwhile to use detail funds. This is a unique circumstance caused by COVID-19. He believes the detail officers would provide safety for the event. Just keep in mind other requests may come in.

J. Kiszka asks if there is an entry fee for participants and the length of time the event will last.

B. Moore state the fee for the Boston Marathon was \$350.00. It was refunded to all who had paid. The virtual marathon fee is \$50.00. Participants will get pre-and-post packages, bibs, and shirts. The time frame is six (6) hours.

J. Blinn asks if there will be limit on the number of runners.
B. Moore replies, there will only be a handful of runners. Most will walk.
G. Taillon state, it is a phenomenal idea.
J. DeRoche asks for the date of the event.
B. Moore replies, Saturday, September 12th. It will start at 8:00 a.m.

J. Kiszka motions to allow the event. Seconded by J. DeRoche.

Vote: 5-0-0

Motion carries

J. Kiszka motions to use detail funds for safety purposes for this event at the discretion of the Police Chief. Seconded by G. Taillon.

Vote: 5-0-02

Motion carries

ZONING BOARD OF ADJUSTMENT APPOINTMENT (ZBA)

Jim Unger, 141 Main Street introduces himself. He has been in town for twenty-five (25) years. He was very involved with Boy Scouts for fifteen (15) years. Both of his boys are Eagle Scouts. He was asked to help the ZBA. He has worked with Dee Voss before. J. Unger has a degree in mechanical engineering and has worked on many subdivisions. Since 1992 he has worked for a Fire Insurance Company inspecting properties for casualty.

G. Taillon states it is a worthwhile position however you cannot please everyone.

J. DeRoche thanks J. Unger for stepping-up.

J. Kiszka thanks J. Unger for stepping-up and wants him to know you cannot make everyone happy.

J. Blinn thanks J. Unger for stepping forward. We need good people to help the Town.

F. Hart asks what he thinks the biggest challenge will be.

J. Unger replies, it will not be a technical challenge, it may be keeping his mouth shut.

J. Kiszka states the Zoning Board has a lot of responsibility.

F. Hart states it is an honor to be appointed and a big responsibility. She thanks and welcomes him.

POLLARD ROAD CULVERT PROJECT EASEMENTS

M. Pearson states drainage easements are often required during construction projects as the work can cause slight variations to private property. All the landowners that may be affected due to the Pollard Road Culvert Project have agreed to the easements and the compensation they will receive.

M. Pearson thanks all the residents for granting the easements. He thanks all those who signed easements for the Westville Road Bridge project too.

J. Kiszka asks for the road closing dates.

The anticipated closing dates are July 27 to August 20 although the road did not close today.

J. Kiszka moves that the compensation offers related to the Pollard Road culvert Reconstruction project, for 19 and 26 Pollard Road and 19 Congressional Ave, as recommended by Hoyle, Tanner and Associates, be affirmed, and paid. He further moves that all related easements be accepted and recorded. Seconded by J. DeRoche.

Vote: 5-0-0

Motion carries

VISIONS CONTRACT ADDENDUM

F. Hart states when Marybeth Walker was at a prior meeting to discuss the process of assessing she told the Board that data collectors are not allowed inside homes due to COVID-19. M. Walker asked the Board if they would allow Visions to send out data mailer questionnaires to residents. The Board agreed. Visions has sent an amendment to their original contract to reflect the change. F. Hart will sign the contract and have M. Pearson sign as secondary if Board agrees. They all agree.

J. DeRoche asks when this is going to occur.

F. Hart is not sure of the date. She thinks the data mailers will be sent out in September.

REVIEW AND APPROVE THREE TOWN CODES

J. Kiszka does not agree with the title of Chapter 53, Civil Defense. It should be Emergency Management.

F. Hart states the Police Chief will have to recommend the change.

F. Hart reviews the recommend changes to Chapter 6, Alarm Systems suggested by Fire Chief Knutsen.

Section 6.1 Installation. Add “rapid entry systems shall be installed to the right of the primary entrance no higher than 5” from the ground. The Plaistow Fire Chief may authorize a deviation from the installation requirement,” to the end of the paragraph.

6.3 Keys. Add “and combustible storage lockers” in the first sentence following elevator room.

6.4 Cabinet-style vaults. Change the word MSDS to “safety”.

6.5 Type of equipment. Delete the current paragraph and replace it with “The rapid Entry System and cabinet style vaults shall be purchased from the Knox Company with the Plaistow Fire Department specifications.”

6.6 Ordering equipment. Strike the last sentence and replace it with “Product must be ordered from the knoxbox.com platform.”

J. DeRoche asks if it is appropriate to cite a specific vendor.

F. Hart replies, the Chief recommended it and she believes it is a standard vendor.

J. Kiszka states it should be checked.

F. Hart will check with Chief Knutsen.

6.7 Implementation. Add “rapid entry systems shall be installed to the right of the primary entrance no higher than 5” from the ground. The Plaistow Fire Chief may authorize a deviation from the installation requirement,” to the end of the paragraph. This is the same sentence added to section 6.1.

Section 6.8 Purpose, letter B. Change false alarms to “nuisance” alarms.

6.9 Definitions. Delete local alarm and add the following:

- Nuisance alarm – an unwanted activation of a signaling system or alarm initializing device in response to a stimulus or condition that is not the result of a potentially hazardous condition.
- Unwanted alarm – any alarm that occurs that is not the result of a potentially hazardous condition.
- Malicious alarm - an unwanted activation of an alarm initializing device caused by a person acting with malice.
- Unintentional alarm – an unwanted activation of an alarm initializing device caused by a person acting without malice.

6.10 Service charge. Letter (2) (a) change the word false to “nuisance” and change the dollar amount of \$100 to “per current FEMA schedule of equipment rates.” Also, in letter (2) (b) and (c) change the dollar amount to “per current FEMA schedule of equipment rates.”

Chapter 50 Cemetery

F. Hart reviewed this chapter with Mark Gilford, Cemetery Sexton. His recommended changes follow.

50-2. Cemetery lots. Letter F. Increase the cost of \$400 for residents to \$475 and from \$750 for nonresidents to \$845.

50-2. Letter I. Remove it.

50-7 Foundations. Letter A. strike the last sentence.

J. Kiszka wants to make sure the Board is aware that fees paid for cemetery lots cannot be spent according to State law. Only the interest made on the fees can be spent. It currently costs more to maintain the cemetery than the interest we earn. Therefore, taxpayers are supporting most of the maintenance costs.

G. Taillon asks if the new suggested fees are realistic?

J. Kiszka replies, they are way to low compared to other towns in the area.

F. Hart will have M. Gilford attend a Board meeting in August. Rates can be further discussed then.

M. Pearson states M. Gilford has done an excellent job. He has shown M. Pearson many of the issues at the cemetery. He also works well with funeral homes and families. M. Gilford is the right guy for the job. He has experience working with other cemeteries.

J. Kiszka states M. Gilford is a compassionate man.

F. Hart states when M. Gilford comes before the Board in August, he will need the Boards support.

AWARD ASSESSING BID

F. Hart recommends discussing the bids in a non-public session. If any negative comments are made it may violate a company’s reputation. The Board agrees.

TOWN MANAGERS REPORT

Deferred.

OTHER BUSINESS

F. Hart states the Request for Proposal for a trash contract will be sent out tomorrow to JRM, Casella and Waste Management.

G. Taillon asks the Board's Chair, "if the Town of Plaistow is violating a current RSA state law, do we as selectmen, who have solemnly and sincerely sworn and affirm that we are agreeable to the rules and regulations of the constitution and laws of the state of New Hampshire, is it our responsibility to take action to correct that violation?"

Whereas, RSA 41:31-B states that "Any municipality that has not hired an auditor under RSA 21-J:19 shall, at the annual meeting, under an article in the warrant, choose one or more auditors., and"

Whereas, RSA 21-J:19 states that " Any town, may hire a certified public accountant or a public accountant licensed by the state under RSA 309-A:8 to conduct such an audit within one year after the close of the municipality's fiscal year., and"

Whereas, The Town of Plaistow has employed a Certified Public Accountant Firm, Plodzik & Sanderson, for many, many years, it was incorrect and in violation of RSA 41:31-B to have two auditors elected on the ballot in March of 2020., and"

Whereas, it would be incorrect to put a warrant to the voters which gives them the option to follow a NH RSA statute or choose to be in violation of it,"

Therefore, I make a motion to cancel the terms of both elected auditors at the end of the Town fiscal year and to direct the Town Clerk to comply with RSA 41:31-B and remove these two positions from the ballot for the 2021 Town Election." Seconded by J. Kiszka.

Discussion:

F. Hart states, it is a tricky area of law. It was discussed with the legal department of NHMA and they suggested the Town seek legal counsel.

J. Kiszka agrees it should be legal. He is not saying he is for nor against the motion however we must do it correctly.

F. Hart states she and G. Taillon went back thirty (30) years to try to find the creation language and they could not find it. She suggests we table the motion until we get legal advice.

G. Taillon states we followed part of the law by hiring a CPA firm however we did the wrong thing by continuing with elected auditors. If we put it to the voters in 2021 and they vote in favor of keeping elected auditors, we are still breaking the law. Therefore, he does not agree with putting it on the ballot.

G. Taillon states the Town Clerk will not just take it off the ballot. She is waiting for direction from the Board.

J. Kiszka recommends modifying the motion to add "after consulting with an attorney."

J. DeRoche recommends withdrawing the motion, getting a legal opinion, then acting.

F. Hart states she wants to meet with Attorney Kalman. Several mistakes have been made.

J. Kiszka states there is still a motion on the floor. He asks if G. Taillon is willing to withdraw it.

G. Taillon replies he does not want to withdraw the motion however he will table the motion if it is added to our next agenda.

G. Taillon motions to table the current motion on the floor. Seconded by J. Kiszka.

Vote: 5-0-0

Motion carries

SELECTMEN'S REPORTS

G. Taillon

- He and J. DeRoche have been working on a Town Hall communication and audio project to allow for viable remote meetings.

F. Hart thanks them and states this will be an agenda item for the next meeting.

J. DeRoche

- The July 15th Rec Com meeting was cancelled.
- Summer Recreation is in week 4.
- Summer concerts are ongoing. They are being held at P.A.R.C. this year.

J. Kiszka asks if the new sidewalks at Pollard Park will be sealed.

M. Pearson replies, he will direct the Highway Supervisor to monitor it and get quotes.

J. Blinn

- Attended the Old Home Day meeting. Nothing will happen this year, not even fireworks.

J. Kiszka

- He also attended the Old Home Day meeting.
- He states there will be a virtual meeting for the Traffic Calming Study on July 29.

J. Deroche asks if we should reinstate the Highway Safety Committee.

F. Hart suggest they wait until after the July 29 Traffic Calming Study to decide.

F. Hart

- Attended the Planning Board Meeting.
- Attended a virtual meeting for assessors regarding utilities.

M. Pearson reminds the Board of the COVID meetings scheduled for next week. He recommends the Board members attend one session.

M. Pearson received an email this afternoon from the State of NH stating they intend to dispose of the Westville Park and Ride. He replied to the email asking what the options are if the Town is interested in the property. Any decision is up to the Board. He just requested the information to bring it to the Boards attention.

F. Hart recommends adding this to the next agenda.

J. DeRoche prepared a spreadsheet on the assessing budgeted and expended amounts from 2015 to 2020. Some years we were way over budget and some years way under. The last two years we spent close to a half-million dollars in assessing. He wants to know what the Board is expecting with the new software.

F. Hart replies she can answer the questions. In 2016 a values-a-new was completed causing the assessing budget to be overspent. In 2017 and 2018 no statistical update was done and we under spent the assessing budget. In 2019 a statistical update was done that was not budgeted for however our ratio was very low and the Board voted in favor of the update. That year the budget was

overspent. In 2020 new software was purchased that specializes in commercial property valuation. We are also doing values-a-new. The goal is to make values more equitable rather than just proportional. Future Boards will have to decide if they want to do values-a-new once every five (5) years, or more often. They will also decide to do or no do statistical updates.

J. Kiszka states the town used to do a statistical update every year of 25% of the community however the data was different depending on what portion of the town was done each year. For example, some of the data was 1-year old, some 2-years old, some 3-years old etc. He would like to set up a fund to put some money aside every year to do a full revaluation every 5 years without impacting the budget in one year.

J. DeRoche states you do not know what will happen in 5 years. The housing market could crash or continue to up.

G. Taillon replies, the proportionality would remain the same.

J. DeRoche states we are not bound to wait five (5) years. An update can be done sooner if the Board wants. The Board of Selectmen are the Board of Assessors.

J. Kiszka states by law a revaluation must be done a minimum of every 5 years.

F. Hart states our Assessing Firm will tell us the percentage of assessed values every year. The Board will use that information to decide if they want to do a statistical update.

J. Kiszka states it is a complicated issue.

M. Pearson states the increase in the 2020 assessing budget was offset by a decrease in the operating budget. He wants to make that clear.

J. DeRoche states over the next few years the assessing budget can probably be level funded and decreased.

J. Kiszka recommends having a warrant article for the 2021 warrant to create an expendable trust fund for revaluations.

J. DeRoche states election time is coming up. He asks if the Town Clerk will talk to the Board.

F. Hart replies, yes and the September election will be like a rehearsal for the November election. She will get all the facts about elections and bring the information to the Board.

J. Kiszka states, Bob Harb, Town Moderator oversees elections.

J. Kiszka states he is the prime Board liaison to the Budget Committee this year. He would like to know the Boards goals ahead of time.

F. Hart replies, that is a great point.

J. Kiszka 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 Related to Terrorism; (J) Confidential Information in Adjudicative Proceedings; (L) Consideration of Legal Advice. Seconded by G. Taillon.

Board Polled: F. Hart = yes, G. Taillon = yes, J. Kiszka = yes, J. Blinn = yes, J. DeRoche = yes. Motion carries

F. Hart states we will not be coming back to public session tonight.

Exited public session at 8:20 p.m.

Resumed public session 8:45 p.m.

J. Kiszka asks a question about the trash collection. Will different color barrels be recommended?

F. Hart replies, no. Perhaps different color lids will be. If we do not use standardized barrels, we will have mess.

G. Taillon states standard barrels should be part of the budget discussion.

J. DeRoche recommends having a separate site to drop off recycling items. He asks if there are any potential locations in town.

M. Pearson states we may need a permit from NHDES. It would probably involve a lot of time and money. We would not have a way to police it either.

F. Hart states this will be discussed more in the future.

F. Hart adjourned the meeting at 8:56 p.m.

Respectfully submitted,

Beth Hossack,
Recording Secretary