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Town of Atkinson

Board of Selectmen

Regular Meeting

Monday, January 12, 2009

### **Call to Order**

Chairman Paul Sullivan called the Regular Selectmen's meeting to order at 7:36pm on Monday, January 12, 2009, in the Atkinson Town Hall.

### **Members Present: Others Present:**

Chairman Paul Sullivan S. Angelo, Town Administrator

Fred Childs D. DeSimone, Tax Collector

Bill Friel H. Galloway, Library Trustee Chairman

D. Herr, Library Director

P. Mangini, Recreation Chairman

M. Mascola, TRSB

D. Pallaria, Electrical Inspector

E. Stewart, Road Agent

D. Weymouth, Maintenance Supervisor

### **Announcement**

Chairman Sullivan stated Mike Mascola wanted the public to know there will be a public hearing for Timberlane School Budget on Tuesday, January 13<sup>th</sup> @ 7pm at the PAC center. Public is welcome and it will be televised on 10.

### **Approval of Minutes**

Approval of December 1, 2008 Minutes.

Mr. Angelo gave the Board the minutes to review.

**Mr. Childs made a motion to approve the Minutes from December 1, 2009 as corrected, seconded by Mr. Friel and carried unanimously.**

Approval of December 8, 2008 Minutes.

Mr. Angelo gave the Board the minutes to review.

**Mr. Childs made a motion to approve the Minutes from November 24<sup>th</sup> as corrected, seconded by Mr. Friel and carried unanimously.**

January 5<sup>th</sup> Minutes to be reviewed at next meeting.

## **Appointments**

*Extend Energy Efficiency Committee to April 2009*

Chairman Sullivan stated they do not need to extend the Energy Efficiency Committee to April 2009, Mr. Angelo stated documentation stated term ends in 2010 so they do not need to be on the agenda.

## **Award Bids**

*2009 Cleaning*

Mr. Weymouth appeared before the Board to discuss bids. Bids range from \$17,616. to \$56,100.

Mr. Weymouth spoke with 2 out of 3 references for Jani King, no problems with company. Jani King is a franchise. Local franchisees. Waiting on one more reference from Salem Police Dept. Price includes everything in package. Library two cleanings per week. \$7,000 lower than last year's budget. General discussion of cleaning budget. Mr. Weymouth to find out what a third day of cleaning of the library would cost. Mr. Weymouth to give Board the contract to be looked over by Sumner Kalman. Verbal contract until January 15<sup>th</sup> with current company.

Public meeting to be held on Wednesday January 21<sup>st</sup> @ 6pm.

Meeting tomorrow (January 13<sup>th</sup>) at 6:30pm to review Warrant Articles if needed.

Mr. Weymouth and Dave Pallaria (Wiring Inspector) appeared before the Board.

Shall the Town vote to raise and appropriate up to the sum of \$52,000 to purchase and install a stand-by, self-starting, propane electric generator which will provide enough electricity to power the Police Station in an emergency situation, thus allowing the Police Department to remain operational during a power outage. The installation of said generator will be under the supervision of the Town's Building Maintenance Supervisor. Mr. Pallaria stated 100 amp three phase generator would be sufficient. Discussion of the location of the generator. Mr. Weymouth stated a figure he got for a generator - \$31,150, automatic conversion price does not include price to install gas piping to generator. Discussion of permanent or towable unit needed.

Library - 3 phase 400 amp \$58,500.

Town Hall - 200amp \$36,500 all of building except well.

30kw towable unit, buildings would need to be re-wired \$40,000 for Town Hall and Library.

Kimball House, Family Mediation, and Highway Garage \$7,500 with generator (Honda 6500kw) to be shared between buildings.

Mr. Childs stated it would be better to get one for each building.

Chairman Sullivan stated the Police Station is at the top of the priority list.

Large cost to keep buildings operational. Generators were hooked up and used at Town Hall and the library during the ice storm. To look at draining the pipes of Kimball House and Family Mediation. Mr. Weymouth to discuss cost with a plumber. To be discussed further Thursday night.

The Board thanked Mr. Pallaria and Mr. Weymouth.

Discussion with Mr. Weymouth regarding Fire Department Roof repair of \$10,000 or strip and replace for \$50,000. Need receipt for warranty. Mr. Weymouth to take a shingle from the roof to prove who the manufacturer is. No damage at this point. January 6<sup>th</sup> there was leaking into the maintenance room. Discussion of leaks. Recommendation was to shovel valleys top to bottom or replace valleys with flashing. Warrant Article or put in budget. Chairman Sullivan suggests it be put in the budget. Price for repair is \$7,800. The Board plans to recommend to the Budget Committee to add money into the General Maintenance Line.

**Assessing Items:**

*Veterans Tax Credits*

Mr. Angelo asked the Board to sign.

**Department Heads**

*Conservation Commission*

Warrant Articles

Mr. Angelo spoke to Tim Dziechowski, who was unable to attend the meeting due to illness.

Mr. Childs recommends that wait until we get to it on the Warrant.

*Highway*

Chairman Sullivan as well as the rest of the Board expressed his deepest sympathies to Mr. Stewart on the passing of his mother. Mr. Stewart thanked the Board.

*Warrant Article*

Mr. Stewart appeared before the Board. Original estimated cost of \$306,000 for shim and overlay, bids came in at \$71.50 per ton. Brought cost down to \$257,400.

Mr. Stewart prioritized list of roads.

Upper Maple Avenue

Stage Road

Rocking Chair Lane

Cottontail Lane

Pebble Brook Road

Jasmine Drive

Mosher Drive

Presented as one Warrant Article. Mr. Stewart will give Mr. Angelo the tonage of each road by tomorrow. Chairman Sullivan stated a decision will be made by 6pm tomorrow night.

Regarding Public Relations Mr. Stewart is asking public not to put debris from storm in right of way. Once snow thaws there will need to be a plan to remove debris. Mr. Stewart is requesting citations/warning for illegal plowing, creating hazards in right of way, and parking illegally. Mr. Angelo stated the Police Department is there to aid Mr. Stewart. Code Violations in town discussed.

Mr. Stewart addressed issue of salt contract which reads they will deliver within 48 hours of being called, at this time 200 ton ordered 10 days ago and still not received. Mr. Stewart stated this has been an issue since December 15<sup>th</sup> and wanted to inform the Board. This issue to be considered next year when it goes out to bid. Mr. Angelo stated they have a right to switch contractors and possibly go to second low bidder. Mr. Stewart discussed looking into other options and price match.

*Library*

Kay Galloway and Diane Heer appeared before the Board.

Update on increase in utilization of library, there has been a 35% increase in circulation over same time as last year.

*Change Order Approval*

Replacement of Mr. DeRosa and Mr. Langlois who resigned. Wendy Doughty would like to complete remainder of Mr. DeRosa's term and run in March. There are two openings and they are proposing Alan Phair for two months of Mr. Langlois and Nina Gray to complete 5 months of Mrs. Doughty's term as an alternate. The Board recommends that applications be filled out and obtain resume of Rich O'Leary and Nina Gray to consider all applicants. Will entertain recommendation. Miss Galloway suggested the Board ask applicants if they are patrons of the library or supported the library in some way.

Miss Galloway discussed adding Warrant Article to shift the RSA number as wording is the same. 31:95B should be 202-A:4-C. Motion to accept provisions by Selectmen. Mr. Friel questioned adopting only part of RSA, vote to modify or adopt as a Warrant adopting 202. Mr. Angelo to meet with Miss Galloway and Chairman Sullivan to look into change. Mr. Angelo to talk to Sumner Kalman tomorrow.

Miss Galloway discussed items in budget impacting maintenance and utility costs. Cupola clock value \$1,712.00 not sure of amount of electricity it will use. Partition in meeting room can be manually closed. Lap-tops and HDTV's value of \$13,085. Upgrades to ceiling lights and heating and 3 Dow Common light poles do not require any more electricity. Mr. Friel stated the Budget Committee needs to deal with those issues. Discussion of adding a third cleaning to the library, Mr. Friel to discuss with Budget Committee. Miss Galloway to give Board Library RSA's and manual.

#### *Change Order Approval*

Submitted for Road work done for drainage based on Memorandum of Understanding. Chairman Sullivan was present at meeting when there was discussion of the back area. Cost to complete drainage. Question whether amount was included to correct issue. Tied into other drainage. Chairman Sullivan requested Mr. Steven Lewis meet with Board to discuss on January 21<sup>st</sup>. Mr. Friel also requested Ron be at the meeting for an update on construction including close out documents, monetized punch list, engineers reports, and a schedule.

#### **Tax Collector**

Debra DeSimone appeared before the Board, she stated the Collection Summary year-to-date for 2<sup>nd</sup> half of 2008 collected at a rate of 95.43%. For the full year collected at 96.63%. Total collected \$14,983,370.70. Mrs. DeSimone and Sue Garrant balanced to the penny.

Asked for a raise for Ms. Garrant on October 6<sup>th</sup> and no word as of yet. Chairman Sullivan stated no decision made to move forward. Other departments got second in command a raise for completing an educational process. Requesting .50 per hour. Mr. Friel stated it was part of her employment agreement. Mrs. DeSimone requested this issue to re-address at some point later this year.

Mrs. DeSimone stated she attended inauguration for House of Representatives convened in a joint session. Senator Downing approached Mrs. DeSimone about setting up a joint workshop with the Energy Committee, including all Board of Selectmen members, both Representatives (Jim Garrity and Mrs. DeSimone) and Senator Downing to discuss where we are, where we need to be, and what we need to do to get there. Mrs. DeSimone stated she spoke with the Energy Committee and they are on board with the workshop, she is requesting it in the next few months.

Mrs. DeSimone received notification from the NH Coalition Against Domestic and Sexual Violence as a Board Member of Family Mediation and Juvenile Services and on the Committee for Children and Family Law. Mrs. DeSimone has contacted Jennifer Durant from the Coalition requesting more pamphlets to make them available to residents. Coalition is having a view and display of the "clothesline" which is survivors and family members create a t-shirt and hung on a clothesline to raise public awareness. A display will be on the State house law and Colby Sawyer College. Anyone that would like to make a t-shirt is welcome to contact Coalition.

Mrs. DeSimone would like to place some pamphlets in foyer, she is requesting okay from Board to put out pamphlets.

#### *Interest Abatement*

Mrs. DeSimone sent back up information regarding an Interest Abatement that was sent to the Board of Selectmen. Resident contacted Mrs. DeSimone in December that she had sent a check it did not arrive at Tax Collectors office and saw it on the next bill that she owed money, the check never cleared at bank. Mrs. DeSimone is not requesting anything from the Board.

Mr. Childs stated he would give the money back as it could have gotten lost. Chairman Sullivan stated they do not wish to take action on this matter and not going to respond.

Board thanked Mrs. DeSimone.

#### **Old Business**

### *Computer Price Quotes*

Mr. Angelo stated they have received a third bid on the server.

According to Steve Jussif the bids are \$3,541.78, \$3,134.99 and \$3,870.00. No recommendation has been made, Mr. Angelo to call the Chairman of the Technology Committee to get their recommendation.

### *East Road Bid*

The Board made comments and the Engineer picked up bid and map today. Mrs. Mangini asked for permission to put it out to bid. The Board agreed on the changes in the bid package. Corrections have been made.

### *Ice Storm (12/12/08)*

#### Expenses to Date

Mr. Angelo stated the new total \$84,863.60 with a few small things outstanding including school caution sign, chipping, and library (person to re-set items in computer) In talking with FEMA may be able to recover some of the costs of the extra fuel and electricity to keep Rec Center open, Mr. Angelo is gathering figures. Meetings with FEMA to discuss how specific they want information, Mr. Angelo to attend meeting. Chairman Sullivan requesting Mr. Stewart attend meeting in Exeter. Chairman Sullivan stated we will not get 100% back, possibly 50-70% back. Mr. Friel is requesting specific slips to go along with bills.

Chairman Sullivan stated the Fire Chief would like to encumber the amount of \$15,000.00 from 2008 into 2009 for Fire Department Payroll and miscellaneous items. Sandra stated this was okay. Three signatures from the Board to encumber that amount. The reason this is different because they get paid twice per year.

Emergency Management Meeting Thursday January 15<sup>th</sup> @ 7pm at the Library. Fire Chief, Police Chief, Highway Department, Dog Officer, Inspector Dave Pallaria, Superintendent, Patti Mangini, Todd Barbera (Technology Committee), Rose Cavalear. Chairman Sullivan stated he would like it set in a workshop fashion to keep it on a positive level and how we can communicate better. Chairman Sullivan to post an agenda for the meeting.

#### Review Proposed 2009 Warrant Articles

Mr. Angelo stated this is Revision 5 except library and generator.

Mr. Angelo stated for Zoning Articles they don't have to give information according to RSA.

Chairman Sullivan stated they chose to put Multiple-Year Collective Bargaining Agreement before the budget.

Estimated increases for 2009 - \$6,978; 2010 - \$15,679; 2011 - \$18,993.

As a result of a vote to approve the cost item for the bargaining agreement reached between the Board of Selectmen and the International Brotherhood of Police Officers Local #563 which calls for the following increases in salaries and benefits at the current staffing level. The Board and Budget Committee to be in agreement and authorization of a special meeting on defeated collective bargaining agreements so if it is defeated it does authorize the governing body (the Selectmen) to have a special meeting at it's option. Mr. Childs stated he would like to make his recommendations. Recommended by Selectmen or Budget Committee to be added. Chairman Sullivan would like to send to DRA.

### *Collective Bargaining Agreement*

**Mr. Childs made a motion to recommend the Collective Bargaining Agreement 2009 - \$6,978; 2010 - \$15,679; 2011 - \$18,993, Mr. Friel seconded the motion. The vote was unanimous and so moved.**

**Mr. Childs made the motion to recommend a special Town Meeting if this does not pass, Mr. Friel seconded the motion. Recommended.**

### *Operating Budget*

Need final total. Mr. Angelo stated they will have the amount by 6pm tomorrow. Barbara Snicer to forward to Mr. Friel and Chairman Sullivan and a copy to Mr. Childs.

### *Article 2009-8*

Shim and Overlay Roads should state \$257,400.00. Waiting for tonage on each road.

Article 2009-9 thru 14 missing.

Article 2009-15 Fire Department Capital Reserve

**Mr. Childs made a motion to recommend the Fire Department Capital Reserve 2009-15 at this time for \$60,000. Seconded by Mr. Friel, and carried unanimously.**

Article 2009-16

Recreation Capital Reserve Fund

Vote to raise and appropriate the sum of \$25,000 to be added to the Recreation Capital Reserve Fund.

**Mr. Friel made a motion to recommend this article for the \$25,000. Seconded by Mr. Childs, and carried unanimously.**

2009-17

East Road Recreation Area

Shall the town vote to raise and appropriate the sum of \$40,000 to continue construction of the new East Road Recreation Area and will withdraw that sum from the Capital Reserve.

**Mr. Childs made a motion to recommend 2009-17, seconded by Mr. Friel.**

Article 2009-18

Mosquito Control Expendable Trust Fund

Chairman Sullivan had a question regarding the amount. There is \$1,503.25 in the account. Should deduct amount from \$48,000.00. The amount should be \$46,496.75 to the Mosquito Control.

**Mr. Friel made a motion to recommend Article for Mosquito Control Expendable Trust Fund in the amount of \$46,496.75, seconded by Mr. Childs. Approved.**

Article 2009-19 C

Cable Television Capital Reserve Fund

Mr. Childs is not in favor of taking money out of the Television Capital Reserve Fund as it was put there for a studio broadcasting place. Mr. Friel suggested taking Article off. Selectmen's discussion of what they want to do. Dave Williams appeared before the Board and stated he does not have money in the budget and the money was in the Reserve fund to fund equipment. Chairman Sullivan brought up what pieces of the Article are needed. The Selectmen feel that Web broadcasting and streaming is down the road. Chairman Sullivan stated the Ad Hoc committee feels it is important but it is going to take time to do that. Break-down of equipment takes out life from equipment.

**Mr. Friel made the motion to accept the Article as - Shall the Town vote to raise and appropriate up to the sum of \$21,000 to purchase remote recording and editing equipment for off-site broadcasting and other minor equipment needs, and to authorize the withdrawal of \$21,000 from the Cable Television Capital Reserve Fund established for this purpose. No new tax dollars are needed for this article, seconded by Mr. Childs.**

Article 2009-20

Police Station Generator

**Mr. Friel made the motion to accept the Article as - Shall the Town vote to raise and appropriate up to the sum of \$25,000 to purchase and install a stand-by, self-starting, propane electric generator which will provide enough electricity to power the Police Station in an emergency situation, thus allowing the Police Department to remain operational during a power outage. The installation of said generator will be under the supervision of the Town's Building Maintenance Supervisor, seconded by Mr. Childs.**

Mr. Childs suggested getting figures and Article can be changed at Town Meeting.

Article 2009-21

American Red Cross

**Mr. Childs made a motion to approve the \$300 to support the Great Bay Chapter of the American Red Cross, seconded by Mr. Friel.**

*Article 2009-22*

Modify Elderly Exemption

Shall we modify the elderly exemption under the provision of RSA 72:37-A and RSA 72:39-B from property tax in the Town of Atkinson, based upon assessed value, for qualified taxpayers, to be as follows: for a person 65 years of age up to 75: \$100,000.00; for a person 75 years of age up to 80: \$150,000.00; for a person 80 years of age or older: \$200,000.00. To qualify, the person must have been a New Hampshire resident for at least three consecutive years, own the real estate individually or jointly, or if the real estate is owned by such a person's spouse, they must have been married and living together for at least five years. In addition, the individual taxpayer must have a net income of not more than \$34,700.00, or, if married, a combined net income of not more than \$43,500.00; and own net assets not in excess of \$100,000, excluding the value of the taxpayer's residence, qualifications become effective for the 2010 property tax year.

**Mr. Friel made a motion to recommend the Article, seconded by Mr. Childs.**

*Property Purchase Warrant Article suggested by Mr.Friel.*

Shall the Town vote to raise and appropriate the sum of (no sum at this time) to purchase property adjacent to Town Hall at 23 Academy Avenue, Atkinson - Map 13, Lot 71.

Mr. Friel stated this was for future use. General discussion of the need for the property.

Decided to hold off for now.

*Article 2009-23*

Accept Deer Run Extension

**Mr. Childs made a motion to approve the Warrant Article to accept Deer Run Extension as a Town Road, seconded by Mr. Friel, unanimous.**

*Article 2009-24*

**Mr. Friel made a motion to recommend Shall the Town vote to discontinue the Digital Communications Capital Reserve Fund, established in 2001 for the purpose of replacing the Police Department with new mandated digital equipment. This fund has had no balance since 2002, seconded by Mr. Childs.**

*Article 2009-25*

Close Sawyer Avenue Capital Reserve Fund

**Mr. Friel made a motion to recommend Shall the Town Vote to discontinue the Sawyer Avenue Capital Reserve Fund, established in 1995 for a reconstruction project at the intersection of NH Route 121 (Main Street) and Sawyer Avenue, in July 2009. This fund had a balance of \$3,069.56, as of January 2, 2009, seconded by Mr. Childs.**

Chairman Sullivan stated language needs to be added that the funds go into the General Fund, Mr. Angelo to look into that.

*Article 2009-26*

Solar Exemption

**Mr. Friel made a motion to recommend the Solar Exemption, seconded by Mr. Childs.**

*Article 2009-27*

Wind Exemption

**Mr. Friel made a motion to recommend the Wind Exemption, seconded by Mr. Childs, unanimous.**

*Article 2009-28*

Woodheating Exemption

**General discussion of the impact to the Town. Mr. Friel made a motion to remove Article, seconded by Mr. Childs.**

*Article 2009-29*

Petition: Rockingham Nutrition & Meals-On-Wheels

**Mr. Childs made a motion to recommend the Rockingham Nutrition Meals-On-Wheels for the sum of \$2,000, seconded by Mr. Friel.**

*Article 2009-30*

Petition: Increase Veterans' Tax Credit

**Mr. Friel made a motion to recommend the Petition to Increase the Veteran's Tax Credit, seconded by Chairman Sullivan. Mr. Childs abstained.**

*Conservation Commission Article*

Mr. Angelo presented request by Conservation Chairman to be added to Warrant.

Technical change to allow a community to purchase land for conservation purposes, still be able to purchase land that runs in and out of town boundaries.

Conservation land that is held privately that is put in conservation by land owner this would allow funds to pay for surveying fees or hiring a Forester.

Manage land as a town forest under the Town of Atkinson Forestry Plan and any revenue would go into the Town Forestry Account.

Mr. Friel expressed his concern that they do not mimic RSA's.

Mr. Childs requested more information.

Chairman of Conservation Commission to discuss further with the Board of Selectmen.

*Energy Efficiency Workshop*

Removed.

### **New Business**

Mr. Childs stated Rose Cavalear (Town Clerk) requested money for a new cash register. Mr. Childs requested three prices in order to change the budget. Cash register is needed for daily reports.

Mr. Angelo stated there will be a meeting on Wednesday, January 21, 2009 at 8am with auditor.

Mr. Angelo to discuss with Chairman Sullivan the Haverhill Chamber of Commerce meeting.

Meeting January 13 @ 6pm to review Warrant Articles.

Emergency Meeting Thursday, January 15<sup>th</sup>, 7pm at the library.

January 15<sup>th</sup>, 9 AM meeting at Sumner Kalman's office.

**Mr. Childs made a motion to adjourn the meeting, seconded by Mr. Friel.**

Respectfully submitted,

Kristen J. LeBlanc

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Paul A. Sullivan, Chairman

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Fred J. Childs, Jr.

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William G. Friel