

**Town of Atkinson  
Board of Selectmen  
Public Hearing to Accept Donation  
Monday, December 14, 2009**

**Open Public Hearing:**

Chairman F. Childs called to order the Public Hearing before the Atkinson Board of Selectmen at 7:00 PM on Monday, December 14, 2009 in the Atkinson Town Hall, and led those assembled in the Pledge of Allegiance.

**Members Present:**

F. Childs, Chairman  
W. Friel  
W. Bennett

**Others Present:**

P. Smith, Town Administrator  
P. Consentino, Chief of Police  
S. Killam, Chairman, Planning Board  
T. Barbera, Chairman, Technology Committee  
M. Acciard, 6 Christine Drive

Chief Consentino explained to the Board and the audience that the state law requires a public hearing to accept any donation to the Town over \$5,000.00 and that he wished to present a check for \$7,000 as a donation from the Atkinson Police Charitable Fund to the Atkinson Department of Elderly Affairs. The donation of \$7,000 is to be used specifically for a down payment to purchase a new vehicle for the Department of Elderly Affairs, if a warrant article to purchase the vehicle is passed by Town Meeting. If the warrant article is defeated, the \$7,000 must be given back to the Atkinson Police Charitable Fund.

Chief Consentino read the Warrant Article to the Board. The Warrant Article contained the provisions that the price of the vehicle would be \$19,500. The Town would need to raise and appropriate an additional \$12,500 for a four-year lease purchase of a 2010 Subaru all wheel drive vehicle for the Elderly Affairs Department. The total down payment would be \$7,500, \$7,000 of which would be paid for by the donation and the remaining \$500 paid for by the taxpayers. The remaining three years of the lease would be paid in equal payments of \$4,000.00. This article is in addition to warrant article 2010 00 – the operating budget.

Chief Consentino also anticipates another \$2,000 in donations each year for the remaining three years. Selectman Bennett asked if the private donor of the funds wanted public credit. Chief Consentino said he does not.

**Selectman Bennett made a motion to conditionally accept a donation of \$7,000 from the Atkinson Police Charitable Fund as a down payment to purchase a vehicle for the Department of Elderly Affairs and if the Warrant Article to purchase the vehicle fails, the check would be returned to the Police Charitable Fund by March 30, 2010. Mr. Friel seconded the Motion and it passed unanimously.**

Chief Consentino presented the \$7000 check to Town Administrator Philip Smith.

Mr. Acciard stepped before the Board to ask some questions about the procedure, if the Town should accept the check first and then have a vote for the Warrant Article or if the Town should vote on the Warrant Article and then accept the check. Mr. Friel informed Mr. Acciard that he had consulted with the State on the proper procedure for accepting the donation and the State had advised him that the Town should accept the check first, with the caveat that the donation would be returned if the Warrant Article failed to pass. Chief Consentino suggested that the Board have the Town bookkeeper carry the money over to the Town 2010 budget and Mr. Friel remarked that he would call Ms Terry Knowles about establishing a Trust.

**Chairman Childs requested a motion to close the Public Hearing at 7:28 p.m. Selectman Bennett made the Motion to close the Public Hearing. Selectman W. Friel seconded the Motion to close the Public Hearing and the Board voted all in favor of closing the Public Hearing.**

**Open Regular Session:**

Chairman F. Childs opened the Regular Meeting of the Atkinson Board of Selectmen at 7:29 PM on Monday, December 7, 2009.

**Approval of Minutes:**

Mr. Bennett gave marked up copies of the November 30, 2009 minutes to the other members of the Board and asked if the Board would like to review them. Chairman Childs stated that he would prefer to review them later and defer the November 30, 2009 minutes of the Board of Selectmen to the following week.

Mr. Bennett then gave marked up copies of the Minutes for the December 4, 2009 Special Public Meeting and the two non-public meetings on December 4, 2009 of the Board of Selectmen to Chairman Childs and Selectman Friel. The Selectmen reviewed the Minutes.

**Selectman Friel made a Motion to accept the Minutes of the Special Meeting of December 4, 2009 of the Board of Selectmen as amended. Selectman Bennett seconded the Motion and the Board voted unanimously in favor.**

**Selectman Friel made a Motion to accept the Minutes of the first non-public meeting of December 4, 2009 of the Board of Selectmen as amended. Selectman Bennett seconded the Motion and the Board voted unanimously in favor.**

**Selectman Friel made a Motion to accept the Minutes of the second non-public Meeting of December 4, 2009 of the Board of Selectmen as amended. Selectman Bennett seconded the Motion and the Board voted unanimously in favor.**

**Scheduled Appearances:**

- None

**Department Heads:**

- *Technology Committee* – T. Barbera

Mr. Barbera gave the Board a status update on bids for the RFP process for IT support and gave the Board a summary of each bid received. Mr. Barbera informed the Board that the IT Committee received a total of seven bids; one was an email attachment, which was not valid, leaving six valid bids. The bids were scored in several areas, with some weighted and the Committee selected the two highest scoring vendors to be interviewed. Chairman Childs requested Mr. Barbera give the Board of Selectmen copies of all the bids for the Board to review. Mr. Friel asked for a cover page and outline of the bids also.

Mr. Barbera then requested to discuss the proposed warrants by the Technology Committee with the Board. The first proposed warrant would be to purchase equipment for video streaming on the Town web site after the web site is redesigned. Mr. Bennett asked how much the Committee would be requesting in the Warrant and Mr. Barbera replied that it would be around \$5,000.

The second warrant would be for the computer room which would be shared between community TV operations and IT servers and associated equipment. Mr. Barbera informed the Board that he had spoken with J. Samms of the State Department of Revenue and was told that the best way would be to repurpose the fund. Mr. Barbera then informed the Board that there would be two ways to repurpose the fund, which could be done with a single warrant. The first would be to make the Cable and IT fund one

fund, which would take a two thirds vote. The second method would be to dissolve the cable fund and recreate it, which would require a simple majority. Mr. Barbera suggested that if the Town decided to request to dissolve the cable fund, the warrants should be tied together because the cable fund would have to be dissolved before a cable and IT fund could be created.

Mr. Barbera informed the Board that the IT Committee had also put in a warrant for a technology refresh because there were around a dozen PC's that were six or more years old and he was also aware that the Selectmen were looking for a new PC. Mr. Barbera explained that the Committee had also requested a bid for a new computer for the Assessors, and had received a quote for PC's at \$812.00 each, which would total around \$9,000 for 12 PC's. The Board requested that Mr. Barbera give the members copies of all the warrants for their review and discussion at a future workshop and informed Mr. Barbera that they would give him a date so that one or more members of the IT Committee could attend.

Mr. Barbera next asked if the IT line in the budget could be increased because there would be other expenses to get the new system running and to get the Town Garage on the system. Mr. Friel remarked that the Board agreed to the numbers that the IT Committee gave them, and if Mr. Barbera felt that the Committee would need more money, then he should give the Board supporting information. Mr. Barbera informed the Board that it would cost around \$500 to \$600 to get the Town Garage on the system and replace some other equipment.

Mr. Barbera asked the Board if it would consider making the IT Committee an official committee rather than an ad hoc committee. The Board agreed that an official IT Committee would be a good idea to keep track of all IT issues in the Town at least until the Town was big enough for an IT director and requested that Mr. Barbera put together a Warrant to present to the Board of Selectmen as a possible Selectmen's Warrant.

#### **Budget Items:**

Mr. Friel inquired as to the progress of the Budget Committee and Mr. Bennett informed him that the Budget Committee has gone through the first review of everything, finalized many items last week and was about 80% through the budget process.

- *Town Administrator* – P. Smith

Mr. Smith gave copies of his report to the Board of Selectmen.

#### **Open Bid:**

- *Assessing Bids* – Chairman Childs next introduced the assessing bids and requested to defer a decision until the end of the meeting.

Chairman Childs opened the bids for asphalt contracting. They were as follows:

1. Bell & Flynn, Stratham, NH - \$71.00 per ton estimated quantity 2,650 tons
2. Continental Paving - \$ 67.40 per ton for 2,650 tons
3. Brocks Industries - \$61.58 per ton by machine and \$105.00 per ton for hand work
4. Pike Industries - \$72.60 per ton for 2,650 tons total of \$92,390

Mr. Childs then stated that he would give the bids to the Road Agent for review.

- *Lawn Care and Fertilizing* - Chairman Childs stated that there were no bids for lawn care and fertilizing. Mr. Friel asked if the RFP's went out. Mr. Bennett asked how many notices were sent out. Mr. Smith stated that three RFP's were sent out and notices were sent out. The Board discussed whether or not the Town could solicit bids and whether the Town should solicit bids from vendors who had contracted for the service earlier or find vendors through other means such as the yellow pages.

Chairman Childs requested a motion.

**Selectman Friel made a Motion for the Town to send requests for quote to vendors who have performed the services over the past three years.**

Mr. Bennett remarked that the Town Administrator should use other sources, such as the yellow pages as well. Chairman Childs remarked that he felt that Mr. Smith could look where he wanted. Selectman Bennett was concerned that the solicitation be conducted fairly.

**Mr. Bennett offered an amendment to the Motion by Selectman Friel to allow the Town Administrator to search out other companies from which to solicit bids and keep fairness in mind and to check the Town files for vendors who have performed the services in the past.**

**The final motion was for the Town Administrator to go through the files to find vendors who have performed the services of lawn care and fertilization in the past and also to search out other companies from which to solicit bids, and send out requests for quote, keeping fairness in mind. The Board of Selectmen voted Mr. Friel – yes, Mr. Bennett – yes and Mr. Childs no.**

Mr. Childs asked the Board if it would like to go over the 2010 budget. The Board agreed to defer discussion.

**Correspondence:**

- *Department of Environmental Services: Letter of Deficiency for 9 Valcat Lance* –no discussion
- *Town Counsel:* no discussion - privileged
- *Stantec* – The letter from Stantec regarding High Hill Road (SBA) Tower Analysis was deferred to a later date. Mr. Bennett informed the Board that he would speak to Attorney Grill regarding the matter.

**Announcements**

Mr. Childs read the announcements.

- Town Clerks Office closed Tuesday, December 15, 2009 for a workshop
- Special Thanks to Freshwater Farms for the Christmas tree
- Cemetery closed; weather permitting it will be open for the holidays
- Santa Claus will be coming to Town on a Fire Truck
- Area Selectmen's Meeting January 14, 2009 hosted by Atkinson. The town of Sandown has sent un proposed agenda items.

Mr. Childs asked if there were more announcements and announced that there will be a get together after the Selectmen's meeting of December 21, 2009

The Board returned to a discussion of the Town Administrator's Budget.

- *Postage Machine* – Mr. Smith informed the Board that he had investigated other companies who supply postage machines and different contracts but the Town needed to wait until the current contract with Pitney Bowes ended, which would be in nine months, and then find other options.

- *Bond Issues* – The Town Administrator is working to establish a system to keep track of all bonds and Town contracts and would like to assign someone to keep track of all bonds and ensure that all old bonds are up to date.

Chairman Childs stated that there would be a public hearing on December 21, 2009 regarding designation of emergency lanes for the following: *Ashford Lane; Boulder Cove Road Extension;*

*Brushwood Drive; Carriage Chase Lane; Chase Island Road; High Hill Road; Little River Road; Little Rob Road Extension; Rocky Point Lane; Winslow Drive.* Mr. Bennett commented that the Town should continue to plow the roads at the Lake but should give notice that it would not plow unaccepted roads in subdivisions next year. Mr. Friel asked who would make the determination. Mr. Childs informed the other Members of the Board that that was the reason for the Public Hearing.

### **Old Business**

- *Fire Station Roof RFP – Mr. Friel*

Mr. Friel will be meeting with the roofer.

- *Police Department Generator – Mr. Friel*

Mr. Friel has the ship date.

- *Town Report Committee – Mr. Friel*

One of the Committee members has dropped off, but Chairman Childs stated that he had someone to replace her.

### **New Business:**

*Land Use Planner Job Description* – Selectman Friel stated that it was discussed at the non public hearing so it can't be discussed at the Public Hearing. Chairman Childs requested that Mr. Smith make a note to review the minutes to determine which direction the Board had decided to follow.

*Assessing Bids* - Mr. Childs requested that the Board return to the Assessing Bids and after discussion, the Board decided to accept the bid from R. B. Wood & Associates. A summary of all bids was included in the Town Administrator's Report.

**Selectman W. Friel made a Motion to move forward with a contract awarded to R. B. Wood & Associates, LLC for a gross proposal of \$32,184.00. Mr. Bennett seconded the motion. Passed unanimously.**

Chairman Childs asked if there was any other business to discuss.

Susan Killam, Chairman of the Planning Board, requested to speak to the Board. She first inquired why one member of the Safety Committee was stepping down. Chairman Childs stated that the member was not interested in being on the Committee and there might be a replacement.

Ms. Killam requested to speak to the Board about reductions made to the Planning Board budget without her attendance. She was particular concerned about the cuts in professional services. Ms. Killam related that with the cuts the Board could not afford Rockingham Planning Commission Services and would lose matching grants. Chairman Childs suggested that she go to the Budget Committee and request reconsideration. Mr. Childs asked if the Planning Board spent the entire amount last year and Ms. Killam stated that she did not have the final bill.

Mr. Childs asked if there were any more old business. Mr. Friel brought up the transfer station seasonal closing and suggested that it be closed from January 9, 2010 to March 15, 2010. Mr. Bennett suggested that it stay open until January 15, 2010 due to the holidays. Mr. Friel agreed that it could be closed from January 15, 2010 to March 15, 2010. Mr. Childs suggested that the Board get comments from the public and invite the Road Agent. The Board discussed if closing the transfer station should be voted on at Town Meeting. The Board agreed to put closing the Transfer Station from January 15, 2009 to March 15, 2009 on the Agenda for the December 21, 2009 meeting and to invite the Road Agent.

### **Future Agenda**

December 14 – Public Hearing at 7:00 p.m. for Donations to Elderly Affairs

December 21 – Public Hearing at 7:00 p.m. for Emergency Lanes

Mr. Childs asked if there were any more old business. Mr. Friel stated that he had new business and gave the other members of the Board draft Warrant Articles for a generator for the Town Hall.

**Selectman Bennett made a motion to adjourn the December 14, 2009 meeting of the Town of Atkinson Board of Selectmen at 8:45 p.m. Selectman William Friel seconded the motion and Mr. Bennett, Mr. Friel and Chairman Childs voted yes to the motion.**

Mr. Childs announce that John Mangini, son of Recreation Chairman P.Mangini was in the hospital after a car accident and that he wished the family the best.

Submitted by: Philip Smith Town Administrator

---

Fred J. Childs, Jr.

---

William G. Friel

---

William M. Bennett