

**Town of Atkinson
Board of Selectmen
Regular Meeting 7:30 P.M.
Monday, January 11, 2010**

Open Regular Session:

Chairman F. Childs opened the Regular Session of the Town of Atkinson Board of Selectmen at 7:35 p.m. 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, Elderly Affairs
T. Stewart, Road Agent
M. Veasey, Conservation Committee
T. Barbera, IT Committee
D. Williams, ACT TV
N. Yoshika-Travers, Recreation Committee
J. Kirsch, Code Enforcement
J. Blackadar, Budget Committee

Approval of Minutes:

*December 21, 2009, Special Meeting - Revisions to be resent for review.
December 21, 2009, Regular Meeting – Needs changes on the first page
December 28, 2009, Regular Meeting –*

Selectman W. Bennett made a Motion to Accept the December 2, 2009 Minutes for the Regular Meeting of the Board of Selectmen with one correction, a by-line for the Recording Clerk to be added on the last page. Selectman W. Friel seconded the Motion and the Board voted 3/0/0 in favor to accept the minutes as amended.

December 28, 2009, Non-Public Session

Selectman W. Bennett made a Motion to Accept the December 28, 2009 Minutes for the Non-Public Session of the Board of Selectmen as submitted. Selectman W. Friel seconded the Motion and the Board voted 3/0/0 in favor to accept the minutes as submitted.

Administrative Abatements:

Requests for two administrative abatements were put before the Board of Selectman.

The first request was for overpayment on the following property:

Map / Lot	Address	Amount
000005-000052-000000	7 Robie Lane	\$251.00

Selectman W. Bennett moved to grant an Administrative Abatement for Map 5, Lot 52, in the Amount of \$251.00. Selectman W. Friel seconded the Motion and the Board voted 3/0/0 to grant the Administrative Abatement.

The second request was for a hardship:

Map / Lot	Address	Amount
000014-000106-000000	9 Devonshire Road	\$136.00

Selectman W. Friel moved to grant an Administrative Abatement for Map 14, Lot 54, in the Amount of \$136.00. Selectman W. Bennett seconded the Motion and the Board voted 3/0/0 to grant the Administrative Abatement.

Veterans Tax Credits

Map / Lot	Address	Recommendation
000003-000054-000000	2 Scottsdale Road	Deny – no medals
000014-000084-000016	9 Coventry Road	Grant

Selectman W. Friel moved to deny a Veterans Tax Credit for Map 3, Lot 54. Selectman W. Bennett seconded the Motion and the Board voted 3/0/0 to deny the Veterans Tax Credit.

Selectman W. Friel moved to grant a Veterans Tax Credit for Map 14, Lot 84. Selectman W. Bennett seconded the Motion and the Board voted 3/0/0 to grant the Veterans Tax Credit.

Budget Items:

The Town Administrator reported the budget changes to the Board of Selectmen. On Lines 41506. On Lines 41506.430.00 and 42202.740.00, \$2,500 was mistakenly transferred from the Fire Department Budget to the IT Budget. The amount was transferred back to the IT Budget.

Proposed Toll on I-93:

Selectman Bennett announced that the State Department of Transportation is widening I-93 and putting in a toll booth to help pay for the widening of the highway. Chairman Childs requested that the Board vote on a resolution opposing the proposed toll on I-93 at the New Hampshire border with letters to be sent.

Selectman W. Bennett moved that the Board vote in favor of a resolution opposing a toll on I-93 with a letter to be sent to the Department of Transportation, Commissioner George Campbell and the Legislative Delegation for Atkinson, the Senator and two Representatives. Selectman W. Friel seconded the Motion and the Board voted 3/0/0 in favor.

Chairman Childs remarked that the tolls would be a hardship for everyone. Chairman Childs then read a letter from the State of New Hampshire Department of Transportation regarding proposed stop lights at West Road and Island Pond Road. Chairman Childs requested that Mr. Ted Stewart, Road Agent and Mr. Phil Smith, Town Administrator review the letter and reply.

Department Heads:

- *Building Department Inspection Report for 2009* – Mr. P. Smith gave the report to the Board. The number of permits still open had been reduced to 53. Mr. Kirsch stepped before the Board to explain that the outstanding permits were for unfinished projects.

Town Administrator's Report – Mr. Smith presented his report to the Board.

- *Regional Selectmen's Meeting* – Plans were being finalized. Kingston and Chester confirmed not coming. Possibly one attendant from Plaistow. A discussion on increasing the Veteran's Exemption has been added to the Agenda. Glacial Energy will be giving a presentation. A head count has been confirmed and Mr. Smith will order food.

- *Community Action Volunteers* – Two people have been selected as workers through the Community Action Program. One worker has typing, filing and office skills and will be working with B. Snicer. The other worker will be working with David Weymouth and has experience at general maintenance, cleaning, small engine repair and driving heavy equipment. This is a Federal program to give older workers jobs and there is no cost to the Town. Each will be working up to 20 hours per week.

- *Ted Stewart, Road Agent* – Sent three memos to the Board of Selectmen.

- *Roads for Acceptance*: Mr. Stewart requested that Little Rob Road Extension, Carriage Chase Lane and Brushwood Drive be presented to the voters as a Warrant Article for road acceptance. Mr. Stewart

explained that the developer requested that Little Rob Road Extension and Carriage Chase Lane be accepted in 2007 and the Board of Selectmen at that time requested to wait one year. The developer told the Town to keep the bond and walked away when the roads were not accepted. Mr. Stewart gave a letter to the Board in 2007 from the Town Engineer stating that the roads are in good condition. The Town took the bond money and spent some to put in a guard rail.

Selectman W. Friel made a Conditional Motion to place a warrant article for acceptance of the roads dependent on seeing the letter from the Engineer.

The Board decided to table the Warrant Article until next week so that the Town Administrator could locate the letter. Chairman Childs remarked that Monday, January 18, 2010 was a holiday. The Board agreed to meet anyway.

Mr. Stewart then informed the Board that the Board would not receive a letter from the developer of Brushwood Drive requesting acceptance. Mr. Friel remarked that the Board would be getting a letter from multiple bond holders.

Selectman W. Friel made a Motion not to present a Warrant Article to the voters to accept Brushwood Drive as a Town road. Selectman W. Bennett seconded the Motion and the Board voted 3/0/0 not to present a Warrant Article to the voters to accept Brushwood Drive.

- *Bids*: Mr. Stewart recommended two bidders for care of the grounds to the Board of Selectmen. The first bid was for mowing. Mr. Stewart explained that the lowest bidder at \$16,500 withdrew verbally because he miscalculated the number of acres to be mowed and the bid was too low. The bidder will be faxing a letter withdrawing his bid. Mr. Stewart recommended Grounds Crew.

Selectman Friel made a Motion to accept the bid by The Grounds Crew for care of the grounds at a sum of \$21,635.00. Selectman W. Bennett seconded the Motion and the Board voted 3/0/0 in favor.

Chairman Childs asked if there was further discussion. There was none.

Mr. Stewart recommended Green World for the fertilization. Mr. Stewart explained that Green World was the lowest bidder at \$3.89 per square foot and that the bidder did the fertilization last year. Mr. Stewart explained that constraints regarding when to fertilize is in the bidder's license, that the contractor is responsible for posting and meeting with the leagues so that fertilization is done in a timely manner. Mr. Stewart also explained that fertilization and pesticide are combined in the license.

Selectman Friel made a Motion to accept the bid by Green World for fertilization of the fields and common areas for the sum of \$10,140 based on a price of \$4.11 per 1,000 square feet. Selectman W. Bennett seconded the Motion and the Board voted 3/0/0 in favor.

Chairman Childs asked if the Board should wait for a contract. Selectman Friel recommended accepting the bid and if the bidder did not want to accept a contract, the Board could move on to the next bidder.

2010 Warrants:

Elderly Affairs: Proposed Warrant Article to purchase a new all wheel drive Subaru for the Elderly Affairs Committee. Mr. P. Consentino came before the Board and read the proposed Warrant Article. Chairman Childs asked for comments. The Board discussed whether the Elderly Affairs Committee should keep or dispose of the other fourth vehicle which had 140,000 miles on it.

Selectman W. Friel made a Motion to place the Warrant Article on the ballot as presented with the understanding that it will replace another car. This Motion was tabled.

Selectman W. Bennett moved that the Board direct the Director of Elderly Affairs, should the proposed Warrant to purchase a new Subaru for the Department of Elderly Affairs pass at Town Meeting, to dispose of the oldest vehicle belonging to Elderly Affairs. Selectman W. Friel seconded the Motion and the Board voted 3/0/0 in favor of the Motion.

Mr. Consentino asked that the Warrant Article be placed in front and near the top so that the seniors in Town would not have to wait 6 hours to vote for it. Chairman Childs requested Mr. Friel to make a Motion.

Selectman W. Friel moved to place the proposed Warrant Article on the ballot. Selectman W. Bennett seconded the Motion and the Board voted 3/0/0 to place the proposed Warrant Article on the ballot.

- *Recreation* – The Recreation Committee requested approval to place two warrant articles to the voters. Chairman Childs read the Warrant Articles. Ms. Yoshika-Travers addressed the Board. Ms. Yoshika Travers explained that the Recreation Committee requested a Warrant Article for \$25,000 for the Recreation Capital Reserve Fund last year, but it was not recommended by the Budget Committee. The Board asked how much money was in the Capital Reserve Fund at present and Ms. Yoshika Travers replied that there was \$4,400 and that the \$25,000 would be used for a future expense. The \$80,000 would be used to complete the East Road fields.

Ms. Yoshika Travers then explained that Phase I of the East Road Project was completed and \$80,000 was needed in order to complete the fields and that irrigation would cost \$55,000. The Board was concerned that one or both of the Warrant Articles would fail because of the large cost. Ms. Yoshika Travers also explained that the Recreation Committee was expecting a large donation for the East Road Project, so the amount requested in the Warrant Article would be considerably less than \$80,000. The Board explained that any donations would have to be accepted by the Board. Ms. Yoshika Travers stated that if the Board could not support both Warrant Articles, then she would prefer that it accept the Warrant Article for the East Road project.

Chairman Childs made a Motion to accept both Warrant Articles to be put on the ballot. Selectman W. Bennett seconded the Motion with reservations and the Board voted 3/0/0 to accept the Warrant Article for \$25,000 to replenish the Recreation Capital Reserve Fund and the Warrant Article for \$80,000 to complete the East Road recreation fields.

- *Highway Department* - Mr. Friel read the proposed Warrant Article for the proposed Snow Removal Expendable Trust Fund with a sum of \$60,000 to be taken from the General Fund. The Board agreed that the Highway Department needed a contingency fund and asked Mr. Blackadar, Chairman, Budget Committee for his opinion. Mr. Blackadar agreed that a contingency fund for plowing was needed but he preferred to start with a smaller number.

Selectman W. Friel made a Motion to place the Warrant Article for an Expendable Trust Fund under the provisions of RSA 31:19-a to be known as the Snow Removal Expendable Trust Fund with a reduced amount of \$15,000. Selectman W. Bennett seconded the Motion and the Board voted 3/0/0 in favor.

Next the Board discussed the proposed Warrant Articles for shimming and repairing the roads. Selectman Friel stated that the Town would be receiving \$143,174.51 as a highway block grant and suggested that the Board vote to approve option "B" proposal totaling \$166,606. Chairman Friel read the proposed Warrant Articles.

- \$12,350 to shim and overlay .15 miles of Mosher Drive
- \$37,050 to shim and overlay .55 miles of Stage Road
- \$24,699 to shim and overlay .3 miles of Rockingchair Lane
- \$18,466 to shim and overlay .2 miles of Cottontail Lane
- \$18,466 to shim and overlay .2 miles of Pebble Brook Road
- \$12,350 to shim and overlay .15 miles of Leroy Avenue

- \$43,225 to shim and overlay .8 miles of Pages Lane and Bittersweet Lane

Selectman Friel made a Motion to approve the proposed Warrant Articles for shim and overlay of roads as read, totaling \$166,606. Selectman Bennett seconded the Motion and the Board of Selectmen voted 3/0/0 in favor.

- *Fire Department* – Selectman Bennett read the proposed Warrant Article to raise and appropriate \$60,000 to be added to the Fire Department Capital Reserve Fund, previously established for the purpose of acquiring fire equipment and vehicles as outlined in the Board of Engineers' Capital Improvement Plan.

Selectman William Bennett made a Motion to accept the proposed Warrant Article in the sum of \$60,000 to be added to the Fire Department Capital Reserve Fund, previously established for the purpose of acquiring fire equipment and vehicles as outlined in the Board of Engineers' Capital Improvement Plan. Selectman W. Friel seconded the Motion and the Board of Selectmen voted 3/0/0 in favor.

- *Town Hall* – Selectman W. Friel read the proposed Warrant Article.

Selectman W. Bennett made a Motion to accept the proposed Warrant Article for the Town to raise and appropriate \$25,000 to purchase and install a standby, self-starting, propane electric generator which would provide enough electricity to power Town Hall in an emergency situation, thus allowing Town Hall to remain operational during a power outage. Selectman W. Friel seconded the Motion and the Board voted 3/0/0 in favor.

- *Library* – Chairman Childs read the proposed Warrant Article. The Board discussed whether \$69,309 was a reasonable amount. The Board agreed that the amount requested was too high and decided to wait until next year,

Selectman Bennett made a Motion not to accept the proposed Warrant Article to raise and appropriate \$69,309 for an electric generator for Kimball Library. Selectman W. Friel seconded the Motion and the Board voted 3/0/0 not to accept the proposed Warrant Article.

- *Mosquito Control* – Chairman Childs read the proposed Warrant Article and stated that the Town should receive money from the State for the purpose of mosquito control. The Town Administrator is to check.

Selectman Friel made a Motion to accept the proposed Warrant Article to appropriate the sum of \$46,460 to be added to the Mosquito Control Expendable Trust Fund. Selectman W. Bennett seconded the Motion and the Board voted 3/0/0 in favor.

- *Televise Library Trustee Meetings*: Selectman W. Friel read the proposed Warrant Article to raise \$1,000 to televise Library Trustee Meetings.

Selectman W. Friel moved to accept the proposed Warrant Article to raise \$1,000 to televise Library Trustee Meetings by ACT TV. Selectman W. Friel Seconded the Motion and the Board voted 3/0/0 in favor.

- *Televise Conservation Committee Meetings*: Selectman Bennett read the proposed Warrant Article into the Minutes.

Selectman W. Friel moved to accept the proposed Warrant Article for \$1,000 to televise Conservation Committee Meetings. Selectman Bennett seconded the Motion and the Board voted 3/0/0 in favor.

- *Kimball House* – Selectman W. Friel read the proposed Warrant Article to ask the voters to appropriate \$35,000 for repair of Kimball House. The Board discussed whether the \$35,000 requested would be sufficient to cover all costs for repair and restoration of Kimball House. Selectman Friel stated that the

amount would be enough to replace the siding and some of the windows, depending on how the Library Trustees decided to repair the building.

Selectman Bennett made a Motion to accept the proposed Warrant Article to appropriate \$35,000 for repair of Kimball House. Selectman Friel seconded the Motion and the Board voted 3/0/0 in favor.

- *Woodlock Park*: Selectman Friel read the proposed Warrant Article to establish a Capital Reserve Fund in the amount of \$10,000 for the purpose of improvements on Woodlock Park and explained that it would be in addition to other Warrant Articles for Recreation. Mr. Friel informed the Board that Woodlock Park also needed maintenance to the fields and to the bleachers.

Selectman Bennett made a Motion to accept the proposed Warrant Article to establish a Capital Reserve Fund for the purpose of improvements to Woodlock Park in the Amount of \$5,000. Selectman W. Friel seconded the Motion and the Board voted 3/0/0 in favor.

Proposed 2010 Non-Money Warrant Articles

- *Street Numbering*: The Board of Selectmen discussed the three proposed Warrant Articles for Street Numbering and decided to accept the Street Numbering Articles proposed by David Hammond. Selectman Bennett read the proposed Warrant Articles.

Selectman Bennett made a Motion to approve the two Street Numbering Warrant Articles proposed by David Hammond, adding the word "all" before street addresses in the third line from the bottom.

The Board decided to discuss the proposed Warrant Articles with the Fire Chief at the next meeting of the Board of Selectmen on January 18, 2010.

- *Technology Committee* – Selectman Friel read the proposed Warrant Article.

Selectman W. Friel made a Motion to place the proposed Warrant Article to establish a Technology Committee for managing the Information Technology (IT) infrastructure and the IT budget for the Town; such committee to consist of five (5) members to be appointed by the Board of Selectmen as follows: April 2010 – one member for one year, two members for two years and two members for three years. Thereafter, the terms shall be for three years. If a vacancy occurs, the Board of Selectmen shall appoint another member until the following April. Selectman Bennett seconded the Motion and the Board voted 3/0/0 in favor.

- *Wood Exemption* – Selectman Friel read the proposed Warrant Article. Ms. Michelle Veasey defined a wood burning central heating system for the Board.

Selectman W. Friel made a Motion not to place the proposed Warrant Article to adopt the provisions of RSA 72:70 for an exemption from the assessed value, for property tax purposes, of real property equipped with a wood-burning energy system, which exemption shall be in the amount of the equipment plus installation. Selectman Bennett seconded the Motion and the Board voted 3/0/0 in favor.

- *Citizen Petition to define Marriage* – Chairman Childs read the Petition. There was no vote as it is a Citizen's Petition.

- *RSA 40:13V-a* – Selectman Friel read the proposed Warrant Article whereby the Budget Committee's and the Selectmen's votes on budget items, or any warrant articles, shall be recorded, the numerical tally of any such vote shall be printed in the town warrant next to the affected warrant article.

Selectman W. Bennett made a Motion to place the proposed Warrant Article onto the ballot as submitted. Selectman W. Friel seconded the Motion and the Board voted 3/0/0 in favor.

Energy Committee:

Michelle Veasey stepped forward on behalf of the Energy Committee to inform the Board that the State posted the requirements for the Energy Grants on Friday and needed replies by this coming Friday and requested the approval of the Board of Selectmen. Ms. Veasey stated that she is submitting a grant application for an energy audit for all Town Buildings, which would cost around \$2,000 for \$3,000 per building for all 8 buildings in the Town. Ms. Veasey also informed the Board that there were 8 different grant categories and that Department Heads can submit requests for grants. Ms. Veasey also announced that on Saturday, February 6, 2010 from 10 until noon a Button Up New Hampshire Workshop would be held to teach community members how to save money over the winter for energy.

New Business: None

Old Business

- *Ratification of Fire Department Officer Appointments* – Selectman Friel stated that the appointments need to be endorsed to make official and so they would be covered by all Town insurances.

Selectman Friel made a Motion to accept all the Fire Department appointments as submitted. Selectman Bennett seconded the Motion and the Board voted 3/0/0 in favor.

- *Sound System and Dyke Auditorium* – Dyke Auditorium has been reserved for the Town Meeting. Mr. D. Williams informed the Board that the contractor the Board used the previous year was available for that date and he was contacting other vendors.

- *Elderly Affairs* – Mr. Friel reminded the Board that a vote was needed to create the position of Director of Elderly Affairs and add to the warrant list. The Warrant Article to read as follows:

Shall the Town of Atkinson vote to create the paid position of Elderly Affairs Director to replace the volunteer position and to raise and appropriate the sum of \$100 for the annual salary of the position.

Selectman W. Friel made a Motion to place the Warrant Article on the Ballot. Selectman W. Bennett seconded the Motion and the Board voted 3/0/0 in favor.

Technology Committee Workshop Warrant Articles - Selectman Friel stated there were four Warrant Articles discussed at the Workshop. The proposed Technology Refresh Warrant Article was tied into the budget. The Board tabled the proposed warrant article to repurpose the Cable Capital TV Reserve Fund. Mr. T. Barbera stepped before the Board to discuss the following proposed Warrant Articles with the Board.

- *IT – Video Streaming Warrant Article:* Selectman Bennett read the proposed Warrant Article. The Board agreed that the amount to be raised and appropriated would be \$10,000. Mr. Barbera informed the Board that Video Streaming would extend the reach of ACT to more viewers. Chairman Childs remarked that the Cable Television Reserve Fund was established for the purpose of building a new studio for ACT Television and that taking money for other projects would deplete the fund.

Selectman Bennett made a Motion to place the proposed warrant article to raise and appropriate \$10,000 to purchase video editing and streaming equipment on the ballot. Selectman Friel seconded the Motion. Chairman Childs was opposed. The Board voted 2/1/0 with Selectman Friel and Selectman Bennett in favor and Chairman Childs opposed.

The Board further discussed the Motion. Mr. Barbera pointed out that the original Warrant Article mentioned creating a cable facility, and this Warrant Article would be a step in creating a cable television facility.

ACT Technology Equipment Room – Selectman Friel read the proposed Warrant Article. Chairman Childs opposed the Motion for the same reason; taking money from the Cable Television Reserve Fund

would deplete the Fund which was created to build a studio for ACT. Mr. Barbera informed the Board that the current area where the equipment is kept is very small and gets very warm, much higher than the optimal temperature for operating the equipment. Mr. Williams, ACT, pointed out that the total area of the room was approximately 54 square feet.

Selectman Friel made a Motion to place the Warrant Article for the ACT Technology Equipment Room as presented for \$18,000 on the ballot. Selectman Bennett seconded the Motion. The Board voted 2/1/0 with Selectman Bennett and Selectman Friel in favor and Chairman Childs opposed.

Announcements – Chairman Childs

Future Agenda

January 12, 2010 – Deadline for Petition Articles (non-zoning)

January 12, 2010 – Community Action Start Date

January 13, 2010 7:30 p.m. – Zoning Board of Adjustment

January 13, 2010 – Jim Nocella, Waste Management

January 14, 2010 7:00 p.m.–Regional Selectman's Meeting in Atkinson

January 14, 2010 7:00 p.m. - PAC TRBC Public Hearing

January 18, 2010 – Martin Luther King Day TOWN HALL CLOSED – Board of Selectmen Meeting at 7:30 p.m.

January 19, 2010 7:00 p.m. – Budget Committee TRBC Public Hearing

January 30, 2010 10:00 a.m. - Dyke Auditorium Deliberative Session –confirm, reserve equipment and janitor.

February 4, 2010 7:00 p.m. – PAC TRSD Deliberative Session

Selectman Bennett made a Motion to adjourn the January 11, 2010 meeting of the Town of Atkinson Board of Selectmen at 10:40 p.m. Selectman William Friel seconded the motion and the Board voted 3/0/0 to adjourn.

Respectfully submitted by Karen Wemmelmann

Fred J. Childs, Jr.

William G. Friel

William M. Bennett