

**Town of Atkinson
Board of Selectman
Regular Meeting 7:30 p.m.
Monday, March 15, 2010**

Open Regular Meeting:

Chairman Friel opened the Regular Meeting of the Town of Atkinson Board of Selectmen at 7:30 p.m. and led those assembled in the Pledge of Allegiance. Chairman Friel announced Selectman Bennett would not be present due to illness.

Members Present:

W. Friel, Chairman
F. Childs

Others Present:

P. Smith, Town Administrator
J. Sapia, AYBS
T. Stewart, Head of DPW
J. Garrity, Atkinson Elections
Jonny Burgess, AFLAC

Approval of minutes from last meeting:

Selectman Childs read minutes from March 8, 2010 and had some changes on page 3 under Department Heads, "Library" should be changed to "Cemetery"; Spelling of Michelle "Visese" should be changed to "Veasey" name; Page 4 under Appearances; remove extra "along the entrance" as well as "the mother"; Page 6; add "Town" in front of "Liaison".

Selectman Childs accepted the changes as corrected and made motion to accept as written. Chairman Friel seconded the motion and the Board voted two in favor with Selectman Bennett absent to deny the request of accepting the minutes as read.

Assessing Abatement:

None

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Appearances:

Mr. Burgess apologized for the prior representative retiring and not continuing to service the Town of Atkinson as it should have been. Indemnity Plan, Mr. Burgess stated is different than most insurance's and that you can receive money for getting hurt to pay every day bills for you or a family member. Benefits are paid for any type of injury not limited to being injured on the job as well outside the job. This is not a Disability Income. There is no waiting time to receive benefits. Claims are paid within 3 days and are tax-free. AFLAC has not raised rates since 1955. A plan is approximately \$5 dollars a week and a spouse is a little more than a dollar. AFLAC will give a \$60 dollar wellness bonus. Plan will not raise rates and you cannot be cancelled. The second popular is the Cancer Indemnity Insurance. Disability insurance would only kick in if you are out of work after two weeks and the Cancer Indemnity plan is available right away. There is no lifetime maximum. There are hospital and transportation benefits with plans. Transportation pays \$.50 per/mile up to \$1,500 per/trip no lifetime maximum. Kids are free on plans. Plans are approximately \$5.00 per week. The third plans is called the Heart Attack/Stroke Plan covers hospital, transportation and follow-up care, like the other plans but has a \$25,000 pay out if a major organ is needed. The cost is \$3-\$10 dollars per week. AFLAC's motto is to protect the employee for one hour of their paycheck or less. Plans can be pre-taxed. AFLAC account is already set up with the town and Mr. Burgess will make himself available on Thursday and Friday to explain benefits for the employees.

Selectman Childs asked if the plan was for employees only. Mr. Burgess explained that AFLAC is available to the employees of the Town and individuals are welcome to purchase the plans but employees can get the plan for half price. Employees can take benefits with them if they leave the Town and maintain the half price rate.

Selectman Childs ask how the company makes any money with this plan. Mr. Burgess explained that for every dollar AFLAC \$0.71 is paid out in claims but their money is made on the Law of Large Number and 65,000,000 Americans puts in on average \$5.00 a week. Plan requires a doctor's note stating employee was sick or injured, only disclaimer is that an immediate family member cannot write the note. Mr. Smith asked about the paperwork involved with the claims. Mr. Burgess stated that he is also the Claims Agent, and that it is a one-page form that he attaches the discharge/doctor's note and files claim. Mr. Burgess explained that the claims do not expire. Mr. Burgess read some testimonial.

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Chairman Friel asked Mr. Smith if he was prepared to inform the employees. Mr. Smith stated that he would put a notice in with the employee's check and set up an informational time as well.

Selectman Childs made mention to Mr. Burgess that there would be an Area Selectman meeting and that Mr. Burgess should inform the Area Selectman of this plan. Mr. Buress agreed and noted that the meeting was being held in the Atkinson Town Hall at 7:00p.m.

DEPARTMENT HEADS:

Chairman Friel asked Mr. Smith about Police Chief Consentino's being in the hospital. Mr. Smith stated that Chief Consentino went in for a regularly scheduled procedure but upon examination he was discovered to have pneumonia. The Chief was recovering. Mr. Smith stated that the Chief had some concerns about issues he wanted to place before the Board.

Chairman Friel wanted to extend the boards well wishes for the Chiefs speedy recovery.

Mr. Smith stated that the Police Chief wants the approval of the Board is for the vehicle. Chairman Friel wants a copy of the contract. Mr. Smith will work on that. Selectman Childs stated that the monies are from two separate accounts, \$18,000 for his outside details and \$5,000 from the operating budget.

Mr. Smith states that the Chief wants to recommend Mr. Ted Houlihan for the position of Assistant Director of Elderly Affairs. Mr. Smith vouches Mr. Houlihan's creditability.

Chairman Friel accepts the police vehicle. Selectman Childs seconded the motion and the Board voted two in favor with Selectman Bennett absent to deny the request of accepting the request of the purchase of the new police vehicle.

Selectman Childs accepts the nomination of Mr. Ted Houlihan to the position of Assistant Director of Elderly Affairs. Chairman Friel seconded the motion and the Board voted two in favor with Selectman Bennett absent to deny the request of nominating Mr. Houlihan to the position of Assistant Director of Elderly Affairs.

Chairman Friel asked Mr. Stewart, Road Agent, to come before the Board.

Mr. Stewart stated that he met with Aaron LaChance, an engineer for Stan-Tec and handed out a list of roads to be reviewed. Mr. LaChance will be submitting a memo for Budgetary figures for the Boards review of 21 site locations.

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Mr. Stewart stated that Route 111 "over topped" at 5:00 p.m. and flowed over to Island Pond Road. Island Pond Road is closed from Westside Drive to Kipcam Road. Minimal damage to Island Pond Road. Barricades were placed to stop damage.

Mr. Stewart stated that in his inspections of North Broadway to Juniper Lane there was a 30-inch culvert that is six feet in the air. There is no explanation for this occurrence. Resolution for this is when the water recedes that the pipe is removed and a "header" is put in. In that a section the storm caused no damage to the roadway itself. Properties down from this area received cosmetic damage.

Some of the damaged caused by this week's four days rainstorm was a direct result of the prior storms of fallen trees clogging culverts.

Problem areas were all fine during this storm

Two main areas that need work are 2 Juniper and Mill Stream Drive. On Mill Stream Drive the rising water changed the configuration of the brook and is heading towards a resident. In order to re-channel the brook will require manual labor, as machinery is unable to get into the brook.

Selectman Childs question if the property in danger belonged to the Town.

Mr. Stewart stated that it was a private residence. In order to fix it it could be costly and the DES would be involved

Mr. Stewart's crew fixes the deep washouts.

Hovey Meadow Road had a blocked culvert and water was diverted onto the roadway.

Beaver Dam was dislodged by the rising water upstream from Hovey Meadow by Sawmill and it overtopped Sawmill Road. Mr. Stewart stated that the first resident to the west of Hovey Meadow Pond is upset because of the water situation. The outlet to Hovey Meadow Pond was in good working order and a solution would be to make the outlet bigger. This could be a timely process since it involves wetlands and the DES would need to be involved.

Mr. LaChance will go through the list and prioritize them in order of necessity. Mr. Stewart advised the board that if the Town had drainage easements to help alleviate future backups of culverts.

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Old Coach Road downstream for Hovey Meadow Road had a couple of yards of erosion, which was repaired

Mill Stream Drive took approximately 16 yards of material to repair the washout.

Sawyer Avenue has three areas of concern; section near the apartment complex there is waters still going across the road clogging the culvert. This was due to the power company coming in and leaving tree debris in the brook area causing the culverts to back up. Clean up is required to alleviate this issue. Area between Highland and Meadow Lane culverts backed up due to Sawyer Avenue being so flat in that area. Sawyer and Summit Drive intersection near the Mereck Resident, The resident installed 200 feet of drainage pipe which is clogged causing flooding in that area. Mr. Stewart advised the resident that a company should be called to vacuum out the pipe and that an engineer should be contacted as well for future flooding as it is on private property.

Sawyer Avenue, Salem Road and Providence Hill intersection has flooded and is owned by the DOT and due to budget reasons has not been corrected. Mr. Stewart asked if the board could write a letter to see when the work is expected to be done. Mr. Friel concurs.

Providence Hill Road and Sunset Drive area brook flooded and a resident was upset that his property flooded.

Linebrook Road there is a 12 inch culvert that crosses at the inter section of Pond Lane and Linebrook Road culvert clogged and caused erosion down towards the school. Area was review and the Pond had an ice out and the high water caused the flooding. Oak Ridge Drive near the fire pond approximately six feet from the out let a beaver built a dam. Outlet seems to be working causing the road to flood without damage. Mr. Stewart suggests the dam to be removed. The beaver dam is on private property but it affecting the fire pond, which is owned by the Town. Mr. Stewart asked the Board for their assistance, as it is a sensitive issue.

Maple Avenue and Main Street state owns a catch basin approximately 75 feet from the intersection the engineer suggest that 2 more catch basins be installed to help stop the road washout

Maple Avenue passed Blunts Pond had some erosion and property damage. Engineer has two suggestions. Mr. Stewart would like to see cost before presenting the Board

At the intersection of Wasson Lane and Maple Avenue to Little River Road a resident has a paved driveway that ins in a location where the stream use to go but has since been

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diverted. That area has a two foot run off for water where a nine foot run off is required and causes erosion

Mr. Friel asked if Mr. LaChance had viewed this area and will be making recommendations.

Culvert that crosses from Kelly Lane and Maple Avenue and continues onto Town property; in this area towns people are building barricade with stones and diverting water causing more damage. This has been dismantled several times and was rebuilt again over night. Mr. Stewart is going to talk with homeowners to reiterate the importance of not disrupting the flow on the town property as it causes damages in other areas.

Bridge behind the Community Center by the walking path the bridge washed out again and lost approximately forty tons of gravel. Large logs caused the damage. The engineer was consulted whether to keep the structure or to replace it with a walking bridge. Gravel was replaced in the interim.

Fire Lane on Pope Road which is the actual outlet for Hovey Meadow needs approximately six-ton of gravel to make it passable. This area was a design structure and he will give Mr. LaChance a copy to go over so this area.

This storm only required gravel and labor no emergency expenditures were used

Mr. LaChance is working on a report to submit for the board and which areas would require the most attention.

Selectman Childs asked if the Engineering budget was all spent and Mr. Stewart stated that he has \$10,000 in budget and that there are monies in the Selectman's budget for Engineering. Mr. Stewart would like to meet with Mr. Smith and see if there are any monies to help out with Island Pond Road.

Mr. Stewart attended a DOT presentation, in Hampstead for a stop light on route 111 and doing a \$3 million paving project on a section that continually floods.

Mr. Stewart got some proposals for Town project and would like to set up a time to meet with the Board and discuss them.

Chairman Friel accepted the invitation.

Little League asked if Mr. Stewart would dig holes to see if there is ledge. Mr. Stewart wants the Boards acceptance to be involved in this project.

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Chairman Friel stated the Mr. Sapia was in last week and is suppose to present the Board with plans. Selectman Childs explained to Mr. Friel that the reasons for the holes are to see how much money the Little League needs to spend. Mr. Stewart stated that he is donating his time but also does not want to jeopardize his position.

Chairman Friel would like to do a walkthrough to get a better understanding. Selectman Childs also agrees that a walk through would make everyone understand. Selectman Childs is to call Mr. Sapia for a time to do a walkthrough.

Mr. Stewart wants the public to know that the Town of Atkinson is not responsible for patching Main Street and that they are to call the DOT

TOWN ADMINISTRATOR:

Chairman Friel as Mr. Smith to report to the Board.

Mr. Smith stated that the Board is waiting for Selectman Bennett return to approve the upping on the expenditures.

Chairman Friel made a recommendation to move it to the next meeting, as he did not want to hold things up if Selectman Bennett is to be out for an extended period of time.

Mr. Smith noted another item that was waiting for Selectman Bennett's return the Deputy Clerks hours increase.

Chairman Friel made a recommendation to discuss it at the next meeting as well.

Mr. Smith reported on the Area Selectman's Meeting .It is scheduled for March 16, 2010 at 7:00 p.m. The towns that are to be present are Chester, Newton, Plaistow, Kingston and Hampstead with Atkinson hosting the meeting. Mr. Charlie Farrel of Glacial and Mr. Jonny Burgess are to attend as well. Mr. Smith feels it will be a good meeting.

Mr. Smith stated that the Town received the DRA audit in reference to assessing for previous year's contract with Purvis & Associates the discrepancy with personnel. Purvis held the contract and DRA found Purvis' services to be lacking. The Town is holding final payment until the terms of the contract are met. Mr. Smith has also talked with Town Counsel regarding the issues.

Chairman Friel asked about the Preliminary damage assessment on Public Assistance. Mr. Smith has the Fire Chiefs damage report of a total of \$33,000. This does not including Mr. Stewart's report. Both were submitted to the State in a timely fashion for reimbursement.

Chairman Friel asked if the Governor declared a State of Emergency and if so can the Town submit for reimbursements of this last storm.

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Mr. Smith is to ask Mr. Stewart for a report of damage for submittal.

Mr. Smith wants to let the public know that the restructuring of waterways cause more damage than helping.

Chairman Friel made a reference that once the Stan-Tec and the DES on board the Town will then know how to handle residents who are building dams and ponds without permits to address those issues for liability.

Old Business:

Selectman Childs stated that a public hearing needs to be set up to accept the donation from Chief Consentino for the car for Elderly Affairs. This needs to be done within ten days. Chairman Friel wants to schedule it for March 29, 2010 at 7:00 p.m.

Board unanimously agrees with date and time of Hearing.

Selectman Childs wants to remind the Town Residents that the Census will be coming and asks that everyone please fill them out.

New Business:

Mr. Smith wanted to inform the Board of Source Water Protection Area (SWPA) letter the Town received and it was just a form letter advising the Town of that they were in to inspect the water areas. Mr. Smith will research further into letter and report back with details for the Board.

Selectman Childs inform the public that Mr. Friel is now the Chairman of the Board after the reorganization process. Selectman Childs also noted that Chairman Friel did a great job on his first night as Chairman.

Selectman Childs wanted to thank the public for voting for him even though he was unopposed.

Board acknowledges Mr. Sapia and asked him to come before the Board
Mr. Sapia wants to state to the Board that the Little League will not be doing any changes without the Boards consent. The League has 3 to 4 different plans to accommodate different scenarios.

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Chairman Friel asked to schedule a walk through of the prospected plans.
Mr. Sapia wanted to thank Mr. Stewart for all his hard work and donating his time to the Little League.

ELECTION RESULTS:

Chairman Friel read the Election Results as follows:

Selectman	Fred J. Childs	835
Moderator	James Garrity	118
Treasurer	Susan B. Coppeta	815
Supervisor of the Checklist	Patricia Mangini	862
Cemetery Trustee	Dale A. Childs	816
Trustee of the trust Fund	Helen Galloway	5
Conflict of Interest	Richard Smith	754
	VACANT	
Library Trustee	Helen Galloway	643
	Alan Phair	505
Budget Committee- 2yrs	David Paquette	810
	Susan Carroll	685
Budget Committee- 3yrs	Janet Cincotta	762
	VACANT	

ARTICLES:

Article 2010-2 Are you in favor of an Amendment to the Zoning Ordinance to afford protection to the wetlands by classifying West Sawmill Swamp, East Sawmill Swamp and Hovey Meadow Wetlands (as delineated in the 2003 Atkinson Prime Wetland Study) as a Prime Wetlands

Yes 842
No 190

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Article 2010-3 Are you in favor of an Amendment to the Zoning Ordinance to add a new section in accordance with RSA 674:62-66, and outlined in RSA 672:1-III-a to accommodate small wind energy system in appropriate locations and provide a permitting process to ensure compliance with the provisions of the requirements and standards established herein?

Yes 764
No 281

Article 2010-4 To see if the Town will vote to amend the Atkinson's Wetlands Ordinance-Section 410-by inserting the new section below and rectifying (re-numbering) the existing test as necessary?

Yes 647
No 397

Article 2010-5 To see if the voters will amend Part 410.10, Prime Wetlands, by changing the first sentence of the last paragraph of this section from "An undisturbed natural buffer area of a least 100 feet in width, shall be maintained..." to read, in accordance with the 2008 Special Town Meeting," "An undisturbed natural buffer zone of at least 150 feet in width shall be maintained..."

Yes 608
No 430

Article 2010-6 To see if the Town will vote to AGAIN designate the three wetlands listed below as Prime Wetlands" and the Planning Board amends section 410.10 Prime Wetlands to include:

West Sawmill Swamp, East Sawmill Swamp, Wright Farm Pond?

Yes 622
No 393

Article 2010-7 Are you in favor of an Amendment to the zoning Ordinance Article V Section 510, Permitted Uses, so as to prohibit as a permitted use a trucking transportation facility in all zoning districts?

Yes 381
No 595

Article 210-8 Are you in favor of an Amendment to the Zoning Ordinance Article V Section 510 to require hours of operation of business in the Commercial/Industrial Zone be evaluated for undesirable off site impacts to nearby residential uses and adjoining communities?

Yes 477
No 534

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Article 2010-9 Operating Budget

Yes 875

No 152

Article 2010-10 Elderly Affairs' Vehicle

Yes 759

No 318

Article 2010-11 Elderly Affairs' Director

Yes 809

No 261

Article 2010-12 Fire Department Capital Reserve

Yes 647

No 412

Article 2010-13 Winter Highway Capital Reserve

Yes 744

No 313

Article 2010-14 Mosher Drive

Yes 663

No 378

Article 2010-15 Stage Road

Yes 657

No 393

Article 2010-16 Rockingchair Lane

Yes 635

No 412

Article 2010-17 Cottontail Lane

Yes 608

No 410

Article 2010-18 Pebble Brook Road

Yes 593

No 420

Article 2010-19 Leroy Avenue

Yes 621

No 390

Article 2010-20 Page Lane & Bittersweet Lane

Yes 587

No 419

Article 2010-21 East Road Recreation Area

Yes 524

No 508

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Article 2010-22 Recreation Capital Reserve
Yes 348
No 681

Article 2010-23 Woodlock Park Capital Reserve
Yes 291
No 728

Article 2010-24 Town Hall Generator
Yes 344
No 683

Article 2010-25 Mosquito Control Capital Reserve
Yes 751
No 288

Article 2010-26 Kimball House Repairs
Yes 662
No 398

Article 2010-27 Televised Conservation Meeting
Yes 527
No 480

Article 2010-28 Televised Library Trustees' Meeting
Yes 478
No 574

Article 2010-29 Video Streaming Equipment
Yes 522
No 526

Article 2010-30 Cable/Technology Room
Yes 544
No 500

Article 2010-31 Record & Tally Votes
Yes 853
No 171

Article 2010-32 Accept Carriage Chase Lane
Yes 659
No 354

Article 2010-33 Accept Little River Lane
Yes 646
No 365

Article 2010-34 Accept Little Rob Road Extension
Yes 627
No 352

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Article 2010-35 Establish a Technology Committee

Yes 670

No 331

Article 2010-36 By Petition:

Yes 104

No 277

ANNUAL TIMBERLANE REGIONAL SCHOOL DISTRICT ELECTION

Article 2 – Operating Budget

Yes 822

No 205

Article 3 – Timberline Teachers’ Association

Yes 638

No 421

Article 4 – Authorization for Special Meeting on Cost Items

Yes 776

No 268

Article 5 – Capital Reserve Fund

Yes 679

No 371

Article 6 – Atkinson Academy Kitchen Renovation

Yes 720

No 340

Article 7 – General Acceptance of Reports

Yes 886

No 130

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Adjournment:

Chairman Friel made Motion to adjourn the March 15, 2010 meeting of the Town of Atkinson Board of Selectman at 9:12 p.m. Selectman Childs seconded the Motion and the Board voted two in favor, with Selectman Bennett absent to adjourn.

Respectfully submitted by Patricia Power

William Friel, Chairman

Fred J. Childs, Selectman

William M. Bennett, Selectman