

*Town of Atkinson  
Board of Selectmen  
Public Hearing & Regular Meeting Minutes  
Wednesday June 30, 2010*

**W. Bennett made the motion to open the Regular Meeting of June 30, 2010 and the 1<sup>st</sup> Public Hearing at 7:07 p.m. in the Atkinson Town Hall Second: F. Childs. Vote: 3/0/0.** The motion was following by the Pledge of Allegiance led by Chairman Friel to those present.

**Members Present**

W. Friel, Chairman  
W. Bennett  
F. Childs

**Others Present**

P. Smith, Town Administrator  
L. Bistany, Rockingham Economic Development Corp (REDC)  
Executive Director  
D. Lane, REDC Consultant  
K. Desmond, VP Business Development – Case Continuum

Mr. Friel explained that the board was opening a public hearing for a Community Development Block Grant and introduced the applicants representing the project.

Donna Lane, Grant Administrator/Consultant of REDC read, verbatim, the public hearing notice handout dated June 30, 2010 as it was the forum required. This handout was provided to the board. She said that the application proposed up to \$120,000 in Community Development Block Grant Application funds. Of these funds, \$105,000 would be sub granted to REDC, which would retain \$5,000 for the loan servicing expenses and loan the remaining \$100,000 to Case Continuum of Atkinson, a medical device manufacturing company. The loan proceeds would be used for working capital to expand production and create an additional six jobs of which at least 60% would be filled by persons of low or moderate income.

Mr. Friel asked about the creation of the six new jobs and if these jobs would be filled by Atkinson residents. Mr. Desmond said that the plan was to hire those qualified, specifically entry level warehouse type employees and had no issues with hiring Atkinson residents. Mr. Friel said that he was led to believe that the positions would be more advanced positions and not entry level and for Atkinson residents and was also concerned that the company didn't own the building and that they were a tenant. Mr. Desmond confirmed that company leased the facility. Mr. Friel asked how long the lease was. Mr. Desmond said it was a three year lease and they were 1 ½ years in. Mr. Friel asked what the chances of the company staying in town were. Mr. Desmond said it was a good central location for the current employees and that the company may have an opportunity to rent additional space in the near future, which would be beneficial. Mr. Friel asked how many employees the company currently retains. Mr. Desmond said that the company currently employs 5 full time and 2 part time employees. Mr. Bennett asked if the new positions were to be full time and what the pay rates would be. Mr. Desmond responded that the positions would be full time at \$10-\$18 an hour (entry-mid level). Mr. Desmond continued, stating that the company manufactures sterilization cases, trays and other instruments used in the medical industry by dentists, surgeons, orthodontists and chiropractors. He said that these cases could be customized and some of the work was contracted out to vendors, but that the company was looking to streamline the manufacturing process in the near future. He added that the products require a lot of assembly type work with specialized hardware and they were looking for additional entry level workers to suit those needs. Mr. Bennett asked about the customization of the products. Mr. Desmond said that the trays could be customized with colors and graphics using laser technology. He said that they would be looking for an entry level and mid level

“Machinist” and would be looking to compete with other similar industries. He said that the products are made to order and that the grant money would help build inventory and sell directly to hospitals. Mr. Bennett asked if color anodizing/chemical use was done on site. Mr. Desmond replied no. Mr. Desmond gave a quick overview of the company. He said that he and his partner had been in the manufacturing business for 20 years. He and his partner met when they had mutual customers working at different employers and that the company officially LLC’d in November of 2008.

**Mr. Friel noted that no public participants were present for comment.**

Mr. Friel continued and asked how the housing part played a role into the grant. Ms. Lane said that everyone who asked for the CDBG must also have a Housing and Community Development plan to be eligible. Mr. Friel said that he didn’t feel comfortable approving the grant without the Planning Board’s input.

There was some discussion and clarification in regards to the public hearing process. It was noted that with the posted public hearing notice, three separate public hearings were listed. Mr. Friel asked Mr. Smith for the posting.

Ms. Lane clarified that the 2<sup>nd</sup> public hearing was for the Housing and Community Development Plan. She said it was a generic plan because as far as she knew the Town didn’t have one in place. She added that the plan had to be re-adopted every three years. She said that the 3<sup>rd</sup> public hearing was the Residential Anti-displacement and Relocation Assistance Plan which was also required, but for this project it did not apply because there was no displacement. She added that the company was on an existing location, so there would be no impact to low income housing and/or displacement.

Mr. Bennett said that he read the housing plan and it was consistent with New Hampshire’s housing workforce requirement. He added that he felt comfortable with the plan as it met all the requirements. Mr. Friel said that he wanted to review it. Ms. Lane suggested continuing with the discussion, having the public comment and reviewing the hearings at another time as the proposals did not have to be adopted that night.

**Mr. Friel noted a member of the community present, but that this community member had no comment.**

**W. Bennett made the motion to close the 1<sup>st</sup> Public Hearing at 7:27. Second: F. Childs. Vote: 3/0/0.**

**W. Bennett made the motion to open the 2<sup>nd</sup> Public Hearing at 7:27. Second: F. Childs. Vote: 3/0/0.**

Ms. Lane said that the project met the requirements and confirmed with the Housing and Community Development Plan. She said that the board could take the matter under advisement that evening to adopt at a later date.

**No public comment.**

**W. Bennett made the motion to close the 2<sup>nd</sup> Public Hearing at 7:29. Second: F. Childs. Vote: 3/0/0.**

**W. Bennett made the motion to open the 3<sup>rd</sup> Public Hearing at 7:29. Second: F. Childs. Vote: 3/0/0.**

Ms. Lane again summarized stating that the Residential Anti-displacement and Relocation Assistance Plan was a requirement for grant funds but that it did not apply in this case as the project does not involve any displacement or relocation. If the project did, it would need to have this procedure and certification in place.

**No Public Comment**

**W. Bennett made the motion to close the 3<sup>rd</sup> Public Hearing at 7:31. Second: F. Childs. Vote: 3/0/0.**

Mr. Bennett asked if the applicant had a deadline. Ms. Lane responded that adoption was needed for mid July. Mr. Friel asked Mr. Smith to send the information to town council for review as well as Sue Killam, Planning Board Chairman. He requested that the review be completed by the end of the week and suggested a special meeting on July 6, 2010 for further discussion and a decision for adoption.

### **Regular Meeting**

**Members Present**

W. Friel, Chairman  
W. Bennett  
F. Childs

**Others Present**

P. Smith, Town Administrator  
N. Yoshida-Travers, Recreation Director  
E. Stewart, Road Agent

**Approval of Minutes**

*Regular Meeting, June 7, 2010*

Mr. Bennett requested several revisions which were noted. Mr. Smith said that he would make the revisions. **F. Childs made the motion to approve the minutes of the Regular Meeting of June 7, 2010, as revised. Second: B. Bennett. Vote: 3/0/0.**

*Regular Meeting, June 14, 2010*

Mr. Bennett requested several revisions which were noted. Mr. Friel also added that in regards to the library sign, the trustees said that they would be comfortable with appearing before the ZBA for approval and that this should be reflected in the minutes.

**F. Childs made the motion to approve the minutes of the Regular Meeting of June 14, 2010, as revised. Second: B. Bennett. Vote: 3/0/0.**

*Regular Meeting, June 21, 2010*

Mr. Bennett requested several revisions which were noted. **F. Childs made the motion to approve the minutes of the Regular Meeting of June 21, 2010, as revised. Second: B. Bennett. Vote: 3/0/0.**

*Department Meeting, June 23, 2010*

Mr. Smith then asked the board to review the department meeting minutes of June 23, 2010. The board took a few minutes to review as requested. Mr. Bennett requested several revisions which were noted. **F. Childs made the motion to approve the Department Meeting minutes of June 23, 2010, as revised. Second: B. Bennett. Vote: 3/0/0.**

### **Assessing**

Assessing abatement documentation was included in the boards packets with a memorandum dated June 30, 2010 from the Assessing Clerk. Mr. Childs said that he wanted to approve the first abatement in regards to the property at 32 Centerview Road, but that there had been no abatement money requested attached. Mr. Friel recommended the board take the first request under advisement until the next meeting. The second abatement requested was for 15 Molly Lane with an abatement of \$98.87 plus interest. **F. Childs made the motion to approve the abatement for 15 Molly Lane as submitted. Second: B. Bennett. Vote: 3/0/0.**

### **Department Heads**

*East Road Recreation Area – Phase II*

*Concession Stand*

Mr. Smith said that Bill Innes, Recreation Chairman, was on vacation for two weeks and thus unable to attend the meeting for discussion. Mr. Friel said that updates would follow upon his return.

*Sun n' Fun Program*

N. Yoshida, Recreation Director, was present to speak to the board about the Sun n' Fun Program which just started this past Monday. Mr. Friel asked for an update on the program. He also said that he understood that someone was hurt yesterday. Ms. Yoshida said yes but that the incident had nothing to do with the Sun n' Fun program and was a separate program. She stated that it was a public park and that people used the park for other reasons all the time. Mr. Childs stated that there was federal money invested in the park, so anyone could use it. Mr. Friel asked if requests were needed for park use. Mr. Childs said no, not necessarily. Ms. Yoshida stated that the Recreation Department sometimes received requests for the use of the park and when they did, they always asked for liability insurance. Mr. Friel asked how big the group was that was there. Ms. Yoshida responded that there were two adults and 15 youths. Mr. Childs asked what kind of a group it was. Ms. Yoshida responded that she thought it was a daycare group. She said that the adult that was hurt wasn't wearing proper footwear and was wearing flip flops. Mr. Bennett asked if there was a footwear advisement posted anywhere. Ms. Yoshida said no. She indicated that the person who had contacted to them to report the

incident said that the sandbox was not safe. Mr. Childs asked if there was a report of the incident. Ms. Yoshida said no. Mr. Friel asked if there was a hierarchy/system/policy in place so that if someone did get hurt there was an understanding of who was in charge and the protocol to follow. Ms. Yoshida stated that the department was working on getting an official policy/protocol in place but that there was nothing official now. Mr. Friel asked if the participants took the first aid training last week and were certified. Ms. Yoshida said that all but three had been certified of the 17 total. Mr. Bennett asked if the remaining three would be trained. Ms. Yoshida replied no. Mr. Bennett said that it should be a job requirement. Mr. Friel was still concerned about not having a policy in place if something did happen. Mr. Bennett asked how old the Assistant Director was. Ms. Yoshida replied that he was 23. Mr. Bennett requested first aid certification for all employees as a requirement for next year. Mr. Friel requested a written policy. He asked if the fire department had spoken with the counselors about safety. Mr. Bennett agreed that it would be a good idea. Mr. Friel also requested that criminal background checks be given to all town employees. There was discussion on an employees age and how it was determined that the employee was not underage (<16). Ms. Yoshida said that the application asks if the applicant is over 16 and that they didn't hire anyone under 16 or push for a CIT (Counselor in Training) if they did. Mr. Friel said that because the program was a children's program, background checks were important and by law, something that the town would pay for (Recreation Department). Mr. Smith said that the written policy should include something on missing persons as well. He said that there was information in the Police Department (PD) Emergency Policy in this regard. Mr. Friel suggested coordinating with the PD on the policy. Mr. Childs asked if each counselor was assigned to a group. Ms. Yoshida said yes and explained. She said that there was always at least one counselor with each group. Mr. Bennett said that there should be at least one person aware of where a child was and when they go missing. Mr. Friel said that there needs to be a check in place throughout the day. Ms. Yoshida acknowledged this and said that there were open space areas where the children may roam and that the counselors are aware of this. Mr. Bennett stressed the importance of having written policies and procedures in place. He said that if something did happen and the Town was sued, the Town would need to show that a written policy was in place and that employees were properly trained. Ms. Yoshida agreed that it was a good idea to have a policy of procedures in place. Mr. Bennett stated that Chief Consentino would be of great assistance. Mr. Smith added that he was sure the PD had the "My Child Is Missing" protocol instituted by the Molly Bish foundation.

Mr. Childs asked about the planned Farmer's Market. Ms. Yoshida responded that the department was still investigating and that they were just looking into the insurance. The board thanked Ms. Yoshida for her update.

#### *Town Parks – Irrigation*

T. Stewart, Road Agent, was present to speak to the board on several issues. He passed out an offer from Bisco Irrigation dated June 29, 2010 for the design of irrigation systems for two town parks, East Road Park and Woodlock Park. He said the cost of the work would be extremely small (less than \$500 not more than \$800). He said that typically the company did not charge its customers but for a municipality instead of a private educational or religious institution for instance, there would be a cost. He said that these parks were in need of irrigation, especially Woodlock Park. He said that he would like to see a plan prepared in preparation for Town meeting. Mr. Friel said that the board would take the request under advisement.

*FEMA: Updates*

Mr. Stewart continued. He said that a check was received by FEMA in the amount of \$22,000 and that a smaller check was expected shortly. He said that he had just completed the paperwork from the storm in March. The amount received would only be half of what has already been received, about \$12,000. He said that he was just going through the process. He added that he had received a letter from the Homeland Security Program which provides hazard mitigation incentives. The application is due on August 20<sup>th</sup> to request funds. He said that they would be sending in plans for \$190,000 worth of projects. Mr. Bennett requested a copy of the letter.

*Stantec: Engineering Costs*

Mr. Friel said that the board had the proposals in front of them last week, but could not remember all the parameters of the project and the bill of \$2,400. Mr. Stewart said that Stantec was used previously for storm cleanups. He said that the first step was to make assessments of the 21 sites and determine which would be the highest priority and how to fix them. Mr. Friel asked if the \$2,400 in work was completed. Mr. Stewart replied yes and what was received for the money were the two reports.

*Tree Work and other projects*

Mr. Childs asked about the tree work. Mr. Stewart said that this work had been completed rather quickly as \$6,000 was not nearly enough to complete the tree removal that is needed. He said most of the money spent was for work on upper Maple Ave. He added that there was typically an \$8,000 budget and they could have easily spent 10 times that amount. He said that it was a goal to have every tree out of the right-of-way (ROW). Mr. Stewart said that other work had been completed. He said that the culvert on Lakeside drive was done and that they were working on other routine maintenance work including one field. Mr. Childs asked if there were still trees that the crew was capable of being taken care of without the contracting service. Mr. Bennett said yes. Mr. Friel asked about the downed tree on Maple Ave which had been there some time and if it was a hazard and/or safety issue for the Town. Mr. Stewart said that it was on the homeowner's property and he had heard that the homeowner was looking into pricing for removal. Mr. Friel asked Mr. Stewart to have the code enforcement officer speak to the homeowner and get an update.

*Woodlock Park Sandbox*

Mr. Stewart said he was also called about the sandbox because of the incident that was previously noted in which someone was hurt. He agreed that the sandbox was in need of repair. Mr. Bennett suggested coating the entire structure with a heavy epoxy material or a similar product that would stay adhered so to cover up all access to the joints. Mr. Stewart said that the underlying concern was that the structure was 15 years old and that epoxy was expensive. He felt that it would be better to do the repair all at once. Mr. Friel said that he hadn't heard anything from **Brox** on the escalation and asked for follow-up. The town was holding some money and he requested a follow up to get them paid and off the table. He asked to give the contact information to Mr. Smith and he would take care of it.

*Baseball Fields*

Mr. Friel said that he had heard a lot of complaints about the baseball fields and that they were in the worst shape in years. He said that he looked into it and the money spent for maintenance of the fields this year was the same as it was last year. He asked Mr. Stewart for his opinion on the fields this year

in comparison to last year. Mr. Stewart replied that he felt that the fields were the same last year, but that there was just less volunteer assistance this year than in the past. Mr. Bennett asked if Mr. Stewart thought the fields were in better or worse shape than last year. Mr. Stewart responded that they were worse this year because of the lack of rain. He said in years when the rains kept the fields lush and green everybody was happy.

Mr. Friel thanked Mr. Stewart for his updates. Mr. Stewart asked if he could have permission to officially close the dump on the 4<sup>th</sup> of July. Mr. Friel said yes and asked Mr. Smith to post this on the TV crawl.

### **Town Administrator's Report**

Mr. Smith reviewed the Administrators Report of 6-30-10 with the board. He read the items as outlined. He stated that there were four RFP's submitted thus far for the work on the overhead garage door, the fire station roof, the Town hall door. He said that bids were due on July 12<sup>th</sup> by 4 PM.

#### *Liability Insurance Rates*

Mr. Smith discussed the liability insurance rates. He stated that he was waiting until after the board met in a few weeks to provide the quote. The current year pricing plans expire this December for Worker's Comp and next July (2011) for Property-Liability. The NH LGC board is currently considering a new pricing plan option regarding rates and discounts. He said that if a quote was given now it would still need to be revised for 1/1/11. He added that if we were to need a quote immediately, NH LGC could provide one.

#### *Wireless Telephone Proposals*

Mr. Smith said that the wireless carrier proposals were still pending but was hoping to get something in writing the next day.

#### *Telecommunications/Telephony/VOIP*

Mr. Smith said that the RFP & Bid Specs for the VOIP services were scheduled to be in by July 23, 2010.

#### *Employee Policy*

Mr. Smith said that revisions are still being made and that it would take a few more weeks. Barry Cox would submit drafts for review along the way and that the first draft was due in on July 9<sup>th</sup>.

#### *Collective Bargaining Training*

Mr. Smith reminded the board about the collective bargaining training on 9/9/10 at the Local Government Center in Concord (NHLGC).

### **Department Reports**

#### *Road Agent*

Mr. Smith stated that this was already discussed with Mr. Stewart present at the meeting.

#### *Police Department*

Mr. Smith said that two arrests were made between during the two week period of 6/13 – 6/23 2010. He said that a complete report of all calls during this time was attached.

*Recreation*

1. Senior Program – Mr. Smith read the report provided.
2. Sun n’ Fun – Mr. Smith read the report provided.
3. East Road – Mr. Smith read the report provided. Mr. Childs noted that there was a bond release request submitted but that there has been no report yet received from the engineer so that no money should be released until the town was satisfied. Mr. Friel agreed.

*Tax Collector*

Mr. Smith said that 1.9 million dollars in property taxes were received from First American.

*Code Enforcement – Health Department*

A report from Sue Killam, Health Administrator, was provided and Mr. Smith read her report as submitted to the board.

*Town Clerk’s Office*

A report from Rose M. Cavalear, Town Clerk, was provided and Mr. Smith read her report as submitted to the board.

**Old Business**

*Pay Rates*

Mr. Friel said he was creating a matrix of what the existing pay rates were and inserting other town’s information. He said he would provide it to the board as soon as it was complete by the end of the week. Mr. Bennett requested a recess. Mr. Friel granted a recess at 9:01, returning at 9:05.

**Recess**

*Hampstead Area Water Company*

Mr. Friel asked if anything was heard on the second letter. Mr. Smith said that he hadn’t and would contact them.

*IT Committee*

Mr. Friel asked if the Committee was working on a policy and if a date has been made to get this in place. Mr. Smith replied that Mr. Barbera was working on and he would follow up with him on this.

*Kimball House*

Mr. Friel said that he had a draft RFP and would provide it to the board for review.

Mr. Friel asked if there were any other old business.

Mr. Childs updated the board on the area Selectman’s meeting that was held in Newton. He said that the meeting was good, but not as many towns were represented as expected. Five towns were represented and some of the items discussed included AFLAC, Pay Rates, Collective Bargaining, Fees,

VOIP phone services, Police/Fire, and connecting Conservation trails with other Towns. Mr. Bennett asked if any other town had the VOIP service. Mr. Smith said that he sent out a query to other towns. Mr. Childs added that the next area selectman's meeting would be held on September 20<sup>th</sup> in Fremont.

Mr. Childs also said that he had a card from the Police Chief for when he was in the hospital and wanted to thank the board and all those who responded for his well wishes.

Mr. Friel asked for follow up from the Library Chairman on the June 9<sup>th</sup> letter.

### **New Business**

#### *Collective Bid Process*

Mr. Friel said that he had put something together for the board to review and comment on. He asked that the matter be continued to the meeting of July 26, 2010.

#### *Town Hall Circular Proposals*

Mr. Smith said that he only received one bid for the septic pumps and that three were needed. Mr. Friel asked about the proposals on the circulator/geothermal and requested this to get in front of the board.

#### *Appointment – Deputy Health Officer*

Mr. Bennett said the current Health Officer was only one person and requested to appoint Mr. Friel as the Deputy Health Officer with the understanding that Mr. Friel would receive no remuneration with the job and that he would accept no fees for inspection that he might perform as the fees would go directly to the Town.

**B. Bennett made the motion to appoint B. Friel as the Deputy Health Officer with the stipulation as noted above. Second: F. Childs. Abstain: B. Bennett. Vote: 2/1/0.**

#### *Police Station Generator Installation*

Mr. Childs asked if anything was heard in regards to the police station generator installation. Mr. Smith said that this was still pending because the electrician was too busy. Mr. Friel said that if the contract could not be met, then the plug should be pulled. He asked Mr. Smith to contact the contractor (present low bidder) and give them a drop dead date of July 6<sup>th</sup>. He said that if the contractor couldn't meet that date they would need to move on to another contractor that could get the work done.

#### *Postage Meter - Pitney Bowes*

Mr. Childs asked about the contract. Mr. Smith said that the contract was on his desk. Mr. Bennett said that the question that was still open was when the contract actually expired. Mr. Smith said at the end of June but that it was month to month after that. He said that the new contract started on July 1<sup>st</sup>. He added that he had checked other providers and that Pitney Bows had a good handle on the State rates and that was why they could offer a good price. He said that the town would lose 90 days at the new rate, which was only \$60. Mr. Bennett said he still wanted to know exactly when the contract was

signed and dated. He requested the actual contract documents, the one which was just ending and the new contract that was signed. Mr. Smith said he would provide these documents to the board.

**Future Agendas**

Mr. Friel noted the following:

7/5/10 – Town Hall closed for Independence Day

9/11/10 – P. Consentino Dinner Atkinson Community Center 5 PM to 8 PM (\$8/person)

Mr. Friel asked where tickets for the dinner could be purchased. Mr. Smith said he thought the community center and to contact them to inquire. Mr. Smith also added that information would be updated and available of the community TV crawl. In that regard, Mr. Bennett asked Mr. Smith to provide the board with a notice of adds, deletes, and modifications made to the community TV crawl.

No further business was discussed.

**Adjournment**

**W. Bennett made a motion to adjourn the June 30 Regular Meeting of the Atkinson Board of Selectmen at 9:30 PM. Second: F. Childs. Vote: 3/0/0.**

Respectfully submitted by Alison McKay

---

William G. Friel, Chairman

---

William M. Bennett

---

Fred J. Childs, Jr.