

***Town of Atkinson
Board of Selectmen
Meeting Minutes
August 23, 2010***

W. Friel opened the regular meeting of August 23, 2010 at 7:30pm in the Atkinson Town Hall with the Pledge of Allegiance.

Members Present:

W. Friel, Chairman
W. Bennett
F. Childs

Others Present:

P. Smith, Town Administrator
B. Innes, Chairman, Recreation Commission
D. DeSimone, Tax Collector
S. Garrant, Deputy Tax Collector
J. Garrity, Town Moderator
A. Galloway, Galloway Trucking
A. Phair, Chairman, Kimball Library Trustee
D. Heer, Director Kimball Library
T. Stewart, Road Agent
T. Barbera, Chairman, Technology Committee

Tax Collector Update:

Tax Collector, Debbie DeSimone began by announcing the Tax Collector's office to be a little over 97% in tax collection. Ms. DeSimone went on to introduce Deputy Tax Collector, Sue Garrant as Atkinson's first certified Deputy Tax Collector. Ms. Garrant recently attended the New Hampshire Town Clerk and Tax Collector certification school and graduated on Friday, August 12, 2010. The school is a three year program consisting of 40 hours of attendance each year. The curriculum was specific to tax collector's legislation and current issues, with some attention to public speaking. Ms. DeSimone and the Board of Selectman congratulated Ms. Garrant for a job well done.

Town Elections:

Town Moderator James Garrity gave a preview and information of the 2010 election season. One of the most important elections of the fall he stated will be held on Tuesday, September 14, 2010 at the Community Center from 7:00am – 8:00pm. Each voter, depending on their registration status, will receive either Republican or Democrat ballots. If Independent or undeclared, a voter will need to choose one of these ballots. Mr. Garrity reviewed the choices on the ballots. The results of September election will determine the candidates nominated by the two major parties for the November election. The final election will be held on Tuesday, November 2, 2010. .

Approval of Minutes:

Regular Meeting- July 12, 2010

Approval of some minutes is delayed until questions are resolved.

Non-Public Meeting- July 26, 2010

F. Childs made a motion to approve minutes from non-public meeting July 26, 2010. Second: W. Bennett. Vote: 3/0/0.

F. Childs made a motion to approve minutes from public meeting July 26, 2010. Second: W. Bennett. Vote: 3/0/0.

Special Meeting-July 29, 2010

F. Childs made a motion to approve minutes from special meeting July 29, 2010 as amended. Second: W. Bennett. Vote: 3/0/0.

(2)Public Hearings, Regular Meeting-August 9, 2010

Non-Public Meeting-August 9, 2010

F. Childs made a motion to approve minutes from 2 public hearings and a non-public session, and regular meeting August 9, 2010 as amended. Second: W. Bennett. Vote: 3/0/0.

Appearances:

Andy Galloway, Galloway Trucking

Mr. Galloway began by asking the Board to approve the release of the 10% retainage on the East Road Recreation Area Phase I project. Mr. Galloway acknowledged the lack of grass growth and germination on the field and believes he can rectify the situation for about \$1,600.00. Mr. Galloway went on to explain that if given the chance he would like to correct the situation by slice seeding, over-seeding and fertilizing the field. The Board acknowledged an error where 10% of the money was currently being held and approved the release of 5% in the amount of \$4,237.00 check, to be released immediately. Mr. Galloway will contact the Town Administrator for a check.

The Board explained to Mr. Galloway that releasing the bond and the remaining \$4,237.00 (5%) would not be in the best interest of the taxpayers. The contract has not been fulfilled due to lack of grass growth on the field. If Mr. Galloway meets the requirement of the contract and produces vigorous grass growth, the Board will release the bond as well as the remainder of the money. Mr. Galloway also committed to watering the field even if it doesn't rain and to use the same blend of seed specified in the original contract. Discussion then centered around the loam pile remaining on the field, which Mr. Galloway explained is intended to use toward phase two for "touch up" work.

Department Heads:

Alan Phair, Chair, Kimball Library Trustees

The Board asked Mr. Phair to attend the Selectman meeting to clarify issues received from a subcontractor who made allegations that the library construction was not to warranty specifications. Mr. Friel asked Mr. Phair, "...after your full investigation of the allegations, are you satisfied with the results and comfortable with the work completed regarding the building of the Kimball Library?" Mr. Phair stated he was comfortable with the results. Mr. Friel then stated he was comfortable with the library's investigation of the allegations and was prepared to move on.

Diane Heer, Director Kimball Library

Ms. Heer updated the Board with the the many events that have been taking place at the Library.

The Board thanked Ms. Heer for a job well done.

Ted Stewart, Road Agent

Hazard Mitigation Grant

Mr. Stewart has recently applied for a grant in the sum of \$308,000. The Town would be responsible for matching 25% in the amount of \$78,000. The grant is currently in the review stage and the engineering work performed last year is being reviewed. The Town will have up to 3 years to spend the money. Mr. Friel encouraged Mr. Stewart to pursue the grant.

Truck Lease, Options

The Town truck is a 2008 Ford F-550 with an International diesel motor, 20,000 GVW, and is in the 3rd year of 4 year lease. The truck will be owned outright by July, 2011. It averages between 6-9 miles per gallon. There are 24,000 miles on the truck and will have about 40,000 miles by the end of the lease. Mr. Stewart explained that trading in the truck early to the 2011 F550 would benefit the Town for the following reasons:

1. Averages between 18 and 21 miles to the gallon
2. In comparison to one of the neighboring towns, Mr. Stewart stated the Town doesn't need a 35,000 GVW truck because 50% of the time, the truck is empty and the other 50% there is brush and tools being hauled. Mr. Stewart described the differences between an F550 with a 20,000 GVW and the standard municipal truck with a 35,000 GVW. A CDL will be required when operating the larger vehicle and compensation for this certification is considerably more expensive.
3. Tires and yearly maintenance cost less than half of a what it costs to outfit a 35,000 GVW sized vehicle.

Mr. Stewart is inquiring about trading the truck in early and how that would impact the Town.

Discussion occurred around the current plow and whether or not it would fit on the 550 truck. Mr. Stewart explained that as long as the design of the 550 does not change too much in the near future, then the plow should fit fine. What can be kept from the change of equipment between plow vehicles would cost the Town \$9,000.00 if a larger truck was purchased.

Waste Management

Mr. Stewart addressed the concern regarding the fuel surcharge and explained he is comfortable with it because it is within the rights of the contract. The Town is bound to the contract through the end of the year when such services can be changed. Mr. Bennett explained he is working on a lead that might get the Town some benefits.

Catch Basins

Mr. Friel expressed concern regarding a recent statement made by Mr. Stewart that he had a company willing to clean catch basins at a price matching the "state bid." Research performed by Barbara Snicer revealed currently there is not an actual state bid for catch basin cleaning, this misunderstanding is because the state uses their own equipment and does not allow subcontractors to use their equipment, and they operate at their own rate. Mr. Stewart responded that this company is a state contractor used at the state contract price to clean catch basins. He claimed he found this company at a demo held by the state of NH. He stated he has a copy of the company's agreement with the state and that the company performed projects in the Town district 6, using the state's equipment. The Board accepted Mr. Stewart's response. Mr. Bennett asked to put this project out for bid as widely advertised as possible using the yellow pages and to also send packages to several companies that can do the work. Mr. Stewart agreed to fulfill Mr. Bennett's request, but asked to be involved when deciding on which bid to accept.

Plow Rates

Mr. Friel requested Mr. Stewart to get a report together for the Board to review. No decisions have been made on pay raises or plow rates as of yet.

Illegal Dumping

Mr. Friel requested Mr. Stewart to provide an update on illegal dumping at the transfer station. Mr. Stewart explained that in the past, memos are sent to the Police Department and the Town Administrator when illegal dumping occurs. 4 loads of debris picked up from illegal dumping in the industrial park and at the gate of the recycling center. Discussion regarding the transfer station is only manned 18 hours per week. Mr. Friel would like Mr. Stewart to include in his budget installation of a 6-8 foot high chain-linked gate and to include for discussion how much it costs right now to clean up debris.

Benches

There were plastic 2 by 4's "snapped" off of two benches. Mr. Stewart will be fixing these soon.

Pole Saw

Mr. Stewart asked the Board for permission to purchase a new pole saw used to perform high limb trimming. The current one is broken with no warranty and has already been fixed once. The Board approved this purchase but requested to use the old one for parts, or for Mr. Smith to sell it on e-bay or Craig's List.

Todd Barbera, Technology Committee

Information Technology Policy

Mr. Bennett stated that the IT Policy was a very good product. The Board would like to add "adopted by the BOS" and the date to the footer of each page. Mr. Bennett would also like to add to the policy that email addresses are assigned by function with the exception of the 3 selectman to avoid the email address becoming stale upon resignation. Selectmen should have email addresses by name. Mr. Bennett would like the policy to allow continuation of email access for selectmen for one year after their term ends. Each newly elected selectman should have an email address assigned and functional by the Monday following the election.

Computer Room

Mr. Barbera explained to the Board that it was assumed that the small storage room was going to be used for the computer room. There are many documents held in the storage room – active and non-active. Mr. Friel explained that he could not possibly decipher between active and non-active documents as well as find space for the non-active documents by March. Active documents need to stay in the storage area in order to stay compliant under RSA. Discussion occurred around using the Fire Department for temporary storage of non-active documents. Mr. Friel went on to explain that the back space was being considered for the computer room. Mr. Barbera expressed some concern with using the back room due to water and access to panels. Mr. Friel explained how the Board is currently trying to tighten security by using a card reader upon entrance of the building. Using the backroom with a separate door will eliminate IT having to enter the main area of the building. The warrant states the computer room needs to be in the Town Hall.

Laptops

Mr. Barbera expressed concern that due to the purchase of the 3 laptops coming out of budget line, his budget would not allow for the purchase of new equipment for the Police Department. Mr. Friel explained that Mr. Barbera would simply need to fill out a form requesting permission to overspend his line and the Board will approve it.

Tax Cards

Mr. Barbara explained to the Board that the Tax Cards are in the wrong budget line and should be moved to a different line. Mr. Friel explained that changes cannot be made to the budget categories until next year during budget season.

Chief Consentino

Waiting period for the Health Insurance

Currently, all new Town Employees have a 90 day waiting period until qualified for health insurance. Surrounding Towns are providing health insurance within 30 days or immediately and Atkinson is the only Town with a 90 day waiting period. Atkinson pays 100% for a single plan and 90% for a family plan. Adjustments on a yearly basis with LGC which can be done on December 31st but can be voted on now. The Board agreed that 30 days was a reasonable waiting period. Discussion occurred around making insurance available on day one, until the 30 day period ends, with a 100% or 50% share, paid by the employee.

Lt. Baldwin

Chief Consentino announced that Lt. Baldwin is back from being overseas in Iraq. He will be taking about a week off and will be back to work. The Board welcomed Lt. Baldwin back home.

Air Quality Check

Chief Consentino asked the Board when the Air Quality Check was going to be performed because there were some employees complaining of coughing at the police station. Mr. Friel explained he had several quotes from contractors and will work on pushing it through soon.

The Generator

Chief Consentino announced that the generator was in place and the gas line and electricity is hooked up. Bayring and Fairpoint are scheduled to repair the Verizon box on August 26th.

W. Innes, Recreation Chairman

East Road Barn Update

Mr. Innes explained there is not electricity in the barn on East Road. Electricity is needed for the pumping station, for the well and the irrigation system. There are locks on the doors with only 2 keys – one at recreation and one that Mr. Innes keeps in his possession. Mr. Innes will provide the Town Administrator with 3 keys.

End of Phase 1 and Phase 2

Mr. Innes asked the Board to approve getting Mr. Stewart's involvement in an oversight capacity for the end of Phase I and throughout Phase II of the East Road Recreation Area. The Board approved this request.

Bids for Phase II of East Road Recreation Area

Mr. Innes recommended that the Board reject the two bids that exist for phase II of the East Road Recreation Area and move toward an alternate process to get the job done.

W. Friel made the motion to reject both bids submitted for East Road Recreation Area – Phase II. Second: W. Bennett. Vote: 3/0/0

W. Friel made the motion to move forward with looking at how the Town can advance Phase II of the East Road Recreation Area within budget with a creative way of negotiating to get it built as soon as we can. Second: W. Bennett. Vote: 3/0/0

Town Administrator Reports

Former Elderly Affairs Vehicle

Cruiser sold for \$1,800 at auction, \$1,666 to the town after auction and reconditioning fees.

Vacation/Leave, without exigent circumstance, 10 days notice for (5 + Days) vacation notifications employee manual

Current policy manual does not reference a notification period.

W. Bennett made the motion that all employee's give a 10-day written notice for a vacation or out of town for 5 or more business days except under extenuating circumstances, to be given to the Town Administrator and the Town Administrator notify the 3 Selectmen of such reports, and no less than 1 day's notice for other absences with contact information and person to handle workload in their absence. Second: W. Friel. Vote: 3/0/0

Insurance: Health & Liability/WC

Mr. Smith reported that he recently received a comparison from LGC to Primex. LGC prices are a 26% benefit to us on the liability and a 21% on the Workers' Compensation insurances. Mr. Smith will contact C. Maglia, Insurance Solutions Corp., for an analysis of the information presented. November is the deadline to make changes so the 1st week in October is the deadline to make a decision.

Reminder – Collective Bargaining Training

Collective Bargaining Training on 9/9/10 at NHLGC from 9:00am – 4:00pm.

Deliberative Session:

Reserved at the Timberlane PAC for February 5, 2011. Out-of-town Deliberative Sessions have the provision for transportation, for those that need it.

Police Department

P. Smith reported 69 police calls for service from 8/4 – 8/18. The Police Department submittal is in the Selectmen's packets.

Budget Committee: Budget Chair

Workshop was held jointly with BOS. The budget season calendar, areas of cost control and employee wages and benefits were topics of discussion. Town Administrator, Phil Smith, was tasked with being the focal point for budget worksheet distribution and collection.

Recreation

Sun n Fun

Assistant Director Eric Kolodziefczak sent evaluations for all 8 CIT (Counselors in Training) and some activity suggestions. Activity Coordinator, Amy Green sent a report of all activities at Sun n Fun this year, and which activities campers enjoyed, which activities were not popular and some suggestions for improvement.

Duck Tour and Faneuil Hall Trip

The trip was held on Thursday, August 12th. 55 people attended. Patti Mangini handled the registrations, while Del Dooling and Joan Fettes assisted.

Summer Concert and Ice Cream Social

This event was held at Town Hall on the front lawn on Thursday, August 12, 2010 at 6:00pm.

Notably there were 170 ice cream Sundaes served, including the 20 band members. There was a Timberlane Community Band Concert.

Community Center Wood Floor

The floor was ready to be refinished, however the AAA flooring contractor suggested the project to stop and opt for a complete sanding. The sanding should be done before another finish coating is applied. The floor is worn and is beyond a simple coating of clear. Dave Weymouth is exploring pricing for this job, in addition a new quote from AAA Flooring.

Planning, Zoning, and Building

CTAP Grant has been recovered in the amount of \$2,200.

Town Clerk's Office

The Town Clerk's office is helping out Saint Ann's and the Atkinson Congregational Church with their food drive. There is a box located in the Town Clerk's Office for food donations. Residents are encouraged to bring in just one item when registering their car.

Mr. Smith was asked to define Civil Forfeiture at the last meeting. Dog Civil Forfeiture RSA 466:13 is a collection of a \$25.00 late fee per dog, Town Clerk's office collects the monies for the Animal Control Officer. Mr. Bennett asked Mr. Smith to find out where exactly the \$25.00 goes once it is collected.

Registering to vote can be done up until 10 days before the State Primary Election. September 7 is the deadline in our office. Otherwise the residents would have to register at the polls the day of the election.

Town Clerk's Office Hours – Effective the Week of September 1, 2010

- 1 Monday 8:30 – 7
- 2 Tuesday 8:30 – **5** (formerly 5:30)
- 3 Wednesday 8:30 – 5
- 4 Thursday 8:30 – 5
- 5 Friday **8:00** – noon (formerly 8:30)

An adjustment was made by taking a ½ hour off of Tuesday evening and adding it to Friday morning in order to make Friday a full 4 hours rather than 3 ½.

Wireless telephone proposal

The Board of Selectman will be supplied with 2 Drone phones (Motorola Barrage). The work phone can be call-forwarded to the personal phone, but minutes would be used on the town side and the personal side when not making a Verizon to Verizon call.

Old Business:

Postage Meter contract

Mr. Bennett will finish editing and leave his corrections on Mr. Smith's desk.

Police Station Door & Town Hall – Back Door

Mr. Friel and Mr. Smith will follow up on the pricing for this.

Recreation – Farmer's Market

Mr. Child's announced the Farmer's Market held on Wednesdays from 3:00pm – 7:00pm to be doing well. There has been a huge variety of vegetables and flowers and selling out most of the time.

Recycle Containers

Mr. Child's announced that Mr. Stewart would like to buy some new recycle containers because he doesn't have any left and is receiving requests for them. Mr. Friel explained the containers are \$6.00 each and more with the Atkinson logo on them. Mr. Friel does not think the Town should pay the extra money to put the logo on them.

New Business

Appointment of Robert Waldron from Alternate to Full ZBA

The Chairman of the ZBA has recommended that the Board of Selectmen move him from an alternate to a full member.

W. Bennett made the motion to appoint Robert Waldron as a full member of the Zoning Board of Adjustment, such term to expire at the end of April 2012. Second: F. Childs. Vote: 3/0/0

W. Bennett made the motion to approve meeting minutes August 9, 2010 as submitted for non-public session under RSA 91a:32e - negotiation of pending litigation. Second: F. Childs. Vote: 3/0/0

W. Bennett made the motion to add to the Town Policy that all employees who are out of the building should tell their supervisor or the Town Administrator that they are leaving and the Selectmen should be notified by email so that we're aware that someone is out of the building for the rest of the afternoon or whatever it is, and know where to contact that person if necessary and that should apply to all employees out of the building or away from the desk for any appreciable period of time . Second: F. Childs. Vote: 3/0/0

W. Bennett made the motion to eliminate the current position of Maintenance Supervisor and create a new position of maintenance position effective September 1st same hours and rate of pay – job description is forthcoming. The maintenance position will answer to the Town Administrator. Second: F. Childs. Vote: 3/0/0

W. Friel made a motion to go into Non-Public Session under RSA 91-A: 3, II (e) to discuss ongoing litigation and pending law suits. Second: W. Bennett. Vote: W. Bennett – Yes; F. Childs – yes; W. Friel – yes.

W. Friel motioned to return to the Regular Meeting at 11:00PM.
No decisions made.

W. Friel Made the motion to adjourn the Regular Meeting at 11:01PM, B. Bennett Seconded, Motion carries unanimous 3-0-0.

Respectfully Submitted, Amanda Williams

William G. Friel, Chairman _____

William Bennett _____

Fred Childs Jr. _____