

*Town of Atkinson
Board of Selectmen
Meeting Minutes
January 7, 2013*

F. Childs opened the Regular Meeting of Monday, January 7, 2013 at 7:38pm in the Atkinson Town Hall and led all present in the Pledge of Allegiance.

Members Present:

T. Barbera
F. Childs, Jr, Chairman
W. Friel

Others Present:

K. Delfino, Timberlane School Board
S. Hakimi, 7 Atkinson Farm Road
B. Innes, Town Administrator
M. Mascola, Timberlane School Board
T. Stewart, Road Agent

F. Childs made a motion to open a Public Hearing to add Winslow Drive as an emergency lane for winter plowing. Roll Call Vote: F. Childs: Yes, W. Friel: Yes, T. Barbera: Yes.

Ted Stewart, Extend Emergency Lane for Winter Plowing – Winslow Drive

Mr. Stewart appeared before the Board of Selectmen to request adding Winslow Drive as an emergency lane for winter plowing. This request should be for the short term.

F. Childs made a motion to close the Public Hearing of Monday, January 7, 2013 at 7:45pm and return to the Regular meeting as scheduled. Roll Call Vote: F. Childs: Yes, W. Friel: Yes, T. Barbera: Yes.

W. Friel made a motion to add Winslow Drive as an emergency lane for winter plowing. Second: T. Barbera. 3/0/0

Approvals:

Regular Meeting Minutes – 12/17/12

W. Friel made a motion to accept the Regular Meeting Minutes of 12/17/12 as submitted. Second: T. Barbera. 3/0/0

Payroll Manifest for 1/8/13 - \$15,176.38

W. Friel made a motion to approve the Payroll Manifest of 1/8/13 in the amount of \$15,176.38. Second: T. Barbera. 3/0/0

Accounts Payable Manifest for 1/2/13 - \$342,812.86

W. Friel made a motion to approve the Accounts Payable Manifest of 1/2/13 in the amount of \$342,812.86. Second: T. Barbera. 3/0/0

Appearances:

Timberlane Warrant – Kate Delfino and Michael Mascola

Ms. Delfino and Mr. Mascola appeared before the Board of Selectmen to announce/present the following items:

- Public Hearing on the proposed 2013/14 proposed budget will be held on Thursday, January 10th at 7pm at the Timberlane Performing Arts Center (PAC).
- There is a vacant Atkinson position on the Budget Committee with a term of 1 year outstanding to finish out 3 years due to it being a position of a person who has resigned. All residents are encouraged to apply for the position.
- Deliberative Session on the warrant articles will be held on February 7th at 7pm at the PAC.
- Proposed Timberlane Regional School District Operating Budget is in the amount of \$64 Million. All residents are encouraged to attend the Public Hearing and Deliberative Session.
- A set of graphs were presented comparing teacher salaries and benefits with the state and surrounding communities. Upholding competitive salaries allows the Timberlane School District to obtain and maintain good teachers.
- There are 7 warrant articles being submitted:
 - Elections of Officers
 - Operating Budget
 - Capital Reserve Fund
 - Collective Bargaining Agreement
 - Non \$ item – to authorize for special meeting in the event the voters do not approve contract for the Collective Bargaining Agreement
 - Fund Balance Retention
 - Non \$ item – General Acceptance of Fund Balance Retention per RSA 198:4-b paragraph 2
- The Timberlane School Board currently has 9 members and each town within the district is represented by 2 members, except Plaistow which is represented by 3. One Board Member suggested rotating the 9th position amongst the communities. The Town of Plaistow wrote a memo with their opinion of that suggestion which was left for the Board of Selectmen for their review.

Assessing:

Abatement – Map/Lot 000023-000074-000000

T. Barbera made a motion to approve an Administrative Abatement on Map/Lot 000023-000074-000000; 35 Boulder Cove Road in the amount of \$413.00. Second: F. Childs. 3/0/0

Old Business:

Vacant Building

Mr. Innes explained the vacant building discussed at the previous Selectmen's meeting has been looked into. The mortgage is being paid on the building and the owner has been identified. Mr. Innes will send this matter back to the Police Department and ask them to be more diligent in getting in touch with the owner.

Fund Balance Policy

Mr. Innes will redo some of the definitions and bring before the Board of Selectmen upon completion.

New Business:

2012 Encumbrances

Mr. Innes presented the 2012 Budget Encumbrances as of December 31, 2012. Mr. Friel explained the basketball fund has money to be carried over as well and added that item to the list.

W. Friel made a motion to encumber the following items for a total amount of \$27,722 plus whatever is left over on the basketball fund. Second: T. Barbera. 3/0/0

Code	Description	Amount
40.41941	General Government Buildings – Town Hall	\$7,860
40.41943	General Government Buildings – Police Station	\$2,200
40.41949	General Government Buildings – Family Mediation	\$4,200
40.45201	Recreation	\$1,500
40.45202	Care of Grounds	\$11,962
	Basketball Fund	Whatever amount if left over

2013 Warrant Articles

The following Warrant Articles were reviewed and voted on (see attached document for full description of the warrant article):

Article Number	Description	Motion	Vote		
			Childs	Friel	Barbera
2013-	Bow Hunting	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Update List of Town Forests	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Cable TV Equipment	W. Friel made a motion to place this article on the warrant for an amount up to \$25,000 to include studio remote access and the character generator. Second: T. Barbera. 2/0/1	No	Yes	Yes
2013-	CASA	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Family Promise	W. Friel made a motion to exclude this article from the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Conflict of Interest Changes	W. Friel made a motion to exclude this article from the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Conflict of Interest Addition	W. Friel made a motion to exclude this article on the warrant as presented based on wording issues. Second: T. Barbera. 3/0/0	Yes	Yes	Yes

			Vote		
Article Number	Description	Motion	Childs	Friel	Barbera
2013-	Emergency Repairs Expendable Trust	W. Friel made a motion to exclude this article from the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Fire Department Capital Reserve	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Fire Tanker Replacement	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Fire Hydrants	T. Barbera made a motion to place this article on the warrant as presented. Second: W. Friel. 3/0/0	Yes	Yes	Yes
2013-	Heritage Commission	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Shim and Overlay	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Reclamation and Paving	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Highway Department Truck	T. Barbera made a motion to exclude this article from the warrant as presented. Second: W. Friel. 3/0/0	Yes	Yes	Yes
2013-	Winter Capital Reserve	W. Friel made a motion to place this article on the warrant as presented in the amount of \$10,000. Second: T. Barbera. 2/1/0	No	Yes	Yes
2013-	Legal Capital Reserve Fund	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Mosquito Expendable Trust	T. Barbera made a motion to place this article on the warrant as presented. Second: W. Friel. 3/0/0	Yes	Yes	Yes
2013-	Police Cruiser	W. Friel made a motion to place this article on the warrant as revised with \$37,292 coming from tax dollars and 3,000 coming from the fund balance. Second: T. Barbera. 3/0/0	Yes	Yes	Yes

Article Number	Description	Motion	Vote		
			Childs	Friel	Barbera
2013-	Recreation Capital Reserve	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Tree Warden	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Town Hall Generator	W. Friel made a motion to place this article on the warrant as presented. Second: T. Barbera. 3/0/0	Yes	Yes	Yes
2013-	Town Webmaster	T. Barbera made a motion to place this article on the warrant as presented. Second: W. Friel. 3/0/0	Yes	Yes	Yes
2013-	Federally funded study to evaluate details surrounding the extension of commuter rail service in Plaistow, NH	T. Barbera made a motion to place this article on the warrant as presented. Second: W. Friel. 3/0/0	Yes	Yes	Yes

Passenger Station and Layover Facility

Mr. Barbera gave an update on a meeting he attended today, January 7, 2013, regarding the railway passenger station and layover facility. During the meeting, Plaistow presented their side and Mr. Barbera presented bullet points of concerns along with information to support those concerns. Mr. Barbera made it be known that Atkinson was not consulted in this project and stressed the point that Atkinson would not be interested in moving forward unless the Westville site was taken out of the study. Mr. Innes added that the DOT Commission was present and could not understand why the project was moving forward if Atkinson is against it.

Overall, the meeting educated people this may not be a good thing for this part of Southern, NH.

For the record, the Board of Selectmen voted they are against this project: F. Child – Yes, W. Friel – Yes, T. Barbera – Yes.

Board of Adjustment Membership Status

W. Friel made a motion to appoint Board of Adjustment Alternate Richard Paquin as a Member of the Board of Adjustment, term to end in April 2014. Second: T. Barbera. 3/0/0

W. Friel made a motion to appoint Board of Adjustment Alternate Sam Zannini as a Member of the Board of Adjustment, term to end in April 2015. Second: T. Barbera. 3/0/0

Audience:

Sharam Hakimi – Atkinson Resident

Mr. Hakimi appeared before the Board of Selectmen to discuss the operating budget and any steps that could be taken to reduce it. Mr. Hakimi asked about unnecessary items on the operating budget that could be potentially cut lowering the tax rate. The Selectmen explained the budget goes up each year due to the cost of living which

often times is unavoidable. The majority rules and most times, even though the Selectmen are against something, the residents are in favor of it. The Selectmen recommended Mr. Hakimi look into submitting a warrant article by creating a citizens petition. They also encouraged Mr. Hakimi to join the Budget Committee.

Announcements:

2013 – Open Elected Positions

Mr. Innes announced the open elected positions. All residents are encouraged to apply for an open position between January 23rd and February 1st.in the Town Clerk’s Office between 8:30 AM and 5 PM.

Future Agenda:

- 1/8 – Budget Committee Meeting @ 7:00PM
- 1/9 – ZBA Meeting @ 7:30PM
- 1/10 – Budget Committee Meeting @ 7:00PM
- 1/15 – Budget Committee Public Hearing @7:00PM
- 1/16 – Planning Board Public Hearing

T. Barbera made a motion to adjourn the Regular Meeting of January 7, 2013 at 9:47pm. Second: W. Friel. 3/0/0.

Respectfully Submitted,
Amanda Lueders

Fred Childs, Jr, Chairman

William Friel

Todd Barbera

Town of Atkinson

Proposed 2013 Warrant Articles

Article 2013-_____ Bow Hunting

Shall the Town vote to allow bow hunting in town forests? This would help control the size of the deer herd as recommended by the New Hampshire Fish and Game Department to reduce the tick population and risks of Lyme Disease. A permit from the Selectmen's Office would be required in order to bow hunt in otherwise-posted Town forests, and would be valid only for the current year. An applicant for the permit would have to show a valid current year or lifetime New Hampshire Fish and Game Archery or Crossbow license to obtain the permit, produce the permit on demand if requested by police or Fish and Game officials, and comply with all New Hampshire hunting laws and seasons.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Update List of Town Forests

Shall the Town vote to designate the following small parcels as Atkinson Town Forests, to be managed by the Conservation Commission under the provisions of RSA 31:112 II?

Map 2 Lot 53	10.2 acres	Brushwood Drive	(Wattie Conservation Gift)
Map 4 Lot 46	4.2 acres		(MacPherson Conservation Gift)
Map 18 Lot 40	7 acres	Sawmill Swamp	(1979 Tax Sale)
Map 18 Lot 65	7 acres	Sawmill Swamp	(1992 Lewis Builders Land Swap)
Map 18 Lot 82	4 acres	Sawmill Swamp	(1999 Conservation Commission Lillian Lewis Heirs Purchase)
Map 18 Lot 84	2.78 acres	Sawmill Swamp	(1999 Conservation Commission Lillian Lewis Heirs Purchase)
Map 18 Lot 85	2.26 acres	Sawmill Swamp	(2007 Conservation Commission Marilyn Matté Purchase)
Map 18 Lot 86	4 acres	Sawmill Swamp	(1992 Lewis Builders Land Swap)
Map 19 Lot 80	4.07 acres		(1989 Balazik Conservation Gift)

All of these parcels are classified as Conservation Land on the Atkinson Tax maps, but were never added as Town Forests. This article also corrects an error in the 1991 Town Meeting Article #42, which did declare the Balazik parcel a Town Forest, but used the wrong map number.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Cable TV Equipment

Shall the Town vote to raise and appropriate the sum of Twenty-five Thousand Dollars (\$25,000) for the purchase and installation of studio and remote production equipment for Atkinson Community Television to ensure remote access and to purchase a character generator, such sum to be withdrawn from the Atkinson Community Television Capital Reserve Fund established for this purpose? No new tax dollars will be needed to fund this appropriation. This article will lapse at the completion of this project or on December 31, 2018, whichever comes first, and is addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 2, Abstain – 0, No – 1

Article 2013-_____ C.A.S.A.

Shall the Town vote to support the Court Appointed Special Advocates (CASA) and to raise and appropriate the sum of Five Hundred Dollars (\$500) for 2013? CASA is a statewide, nonprofit organization that recruits, screens and trains volunteers to advocate for abused and neglected children in New Hampshire courts. This is in addition to Article 2013-_____, the Operating Budget, but will be included in future Operating Budgets.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Fire Department Capital Reserve

Shall the town vote to raise and appropriate the sum of Ninety Thousand Dollars (\$90,000) 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? This is in addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Fire Tanker Replacement

Shall the town vote to raise and appropriate the sum of Two Hundred and Fifty Thousand Dollars (\$250,000) for the purchase of a new Fire Tanker and associated equipment, such sum to come from the Fire Department Capital Reserve Fund established for the purpose of acquiring fire equipment and vehicles, and to apply for, accept and receive any Federal, State and/or local funds which may become available for this purpose? This article will lapse at the completion of this project or on December 31, 2018, whichever comes first, and is addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Fire Hydrants

Shall the Town vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) for the purchase and installation of six (6) fire hydrants, to be installed on the Environmental Protection Agency's (EPA's) waterline expansion in the area of Belknap Drive, Brookside Terrace, Deer Run Road, Emery Drive and Island Pond Road, the final locations to be determined by the Fire Chief, and to apply for, accept and receive any Federal, State and/or local funds which may become available for this purpose? This article will lapse at the completion

of this project or on December 31, 2018, whichever comes first, and is in addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Heritage Commission

Shall the Town vote to establish a Heritage Commission and a Heritage Fund in accordance with the provisions of RSA 673 and RSA 674? The Heritage Commission shall not function as an Historic District Commission and shall only have advisory powers, except for town owned property placed in the Heritage Commission's care by the authority having jurisdiction over that property, and private property placed in the Heritage Commission's care by the property owner.

The Heritage Commission shall consist of 7 full members and up to 5 alternate members appointed by the Board of Selectmen pursuant to RSA 673:4-a and RSA 673:5. One member of the Heritage Commission shall be a selectman, two members shall be appointed from the Atkinson Historical Society, two members shall be appointed from the Atkinson Library Trustees, and the remaining two members shall be from the community at large.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Shim and Overlay

Shall the Town vote to raise and appropriate the sum of One Hundred Thirty-five Thousand Dollars (\$135,000) to shim and overlay Jericho Road, Sawmill Road and Summit Drive, and to shim Meditation Lane; all work to be done under the supervision of the Road Agent? This article is in addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Reclamation and Paving

Shall the Town vote to raise and appropriate the sum of One Hundred Forty-three Thousand Dollars (\$143,000) to reclaim and pave Summit Drive from Walker Road to Sawmill Road; all work to be done under the supervision of the Road Agent? This article is in addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Winter Capital Reserve

Shall the Town vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) for the Winter Capital Reserve Fund, and to appoint the Board of Selectmen as agents to expend such funds; this sum represents the unexpended balance of the 2012 Winter Maintenance account, and will come from the Undesignated Fund Balance? This is in addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 2, Abstain – 0, No - 1

Article 2013-_____ Legal Capital Reserve Fund

Shall the Town vote to create a Legal Capital Reserve Fund under RSA 35.1 V, for unanticipated legal expenses, to appoint the Board of Selectmen as agents to expend such funds and to appropriate Ten Thousand Dollars (\$10,000), such sum representing part of the unexpended balance of the 2012 Legal account? This is in addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-____ Mosquito Expendable Trust

Shall the Town vote to raise and appropriate the sum of Forty-seven Thousand Three Hundred Ninety Dollars (\$47,390) for the purpose of insect control, such funds to be put into the Mosquito Control Expendable Trust Fund created for that purpose, and to name the Selectmen as agents to expend this money? This is in addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Police Cruiser

Shall the Town vote to raise and appropriate the sum of Thirty-seven Thousand Two Hundred Ninety-two Dollars (\$37,292) to purchase and outfit a new police cruiser? Three Thousand Dollars (\$3,000.00) to come from the Undesignated Fund Balance, and Thirty-four Thousand Two Hundred Ninety-two Dollars (\$34,292) to be raised by taxes. This is a non-lapsing appropriation and will not lapse until the project is complete or until December 31, 2014, whichever comes first. This Is a Special Article in addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Recreation Capital Reserve

Shall the Town vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000) for the Recreation Capital Reserve Fund, established in 2004 for the purpose of acquisition, design, renovation and development of recreation fields and facilities? This is in addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Tree Warden

Shall the Town vote to establish the position of Tree Warden as authorized by RSA 231:139 revised May 2012, which shall be a three-year term, to be appointed by the Board of Selectmen? The duties of the tree warden are listed in RSA 231-139 through 151 and shall include, but are not limited to, maintenance and protection of community trees and shrubs in town public ways, village commons, parks and other public grounds. The tree warden shall serve as an ex-officio member of the Conservation Commission and will assist with and advise the Commission concerning the care of town forests, as authorized by RSA 31:112.

Selectmen: Yes – 3, Abstain – 0, No - 0

Article 2013-_____ Town Hall Generator

Shall the Town raise and appropriate the sum of Thirty-five Thousand Dollars (\$35,000) to purchase and install a stand-by, self-starting propane electric generator which will provide enough electricity to power Town Hall in an emergency situation, allowing the Town Hall to remain operational during a power outage? 50% of this expense will be from Federal Emergency Management Agency's (FEMA's) grants, 25% will be from in-kind services and 25% will be from taxation. This article will lapse at the completion of this project or on December 31, 2018, whichever comes first, and in addition to Article 2013-_____, the Operating Budget.

Selectmen: Yes – 3, Abstain – 0, No – 0

Article 2013-_____ Town Webmaster

Shall the Town vote to establish the position of Town Webmaster, a three-year term, to be appointed by the Board of Selectmen, whose duties shall include, but are not limited to posting up-to-date minutes, links, calendars and news on the Town's web site and coordinating web services as needed with the Town's Information Technology Provider; and to raise and appropriate the sum of Three Thousand Dollars (\$3,000) as an annual stipend for this position?

Selectmen: Yes – 3, Abstain – 0, No – 0

Article 2013-_____ Railroad Study

Are you in favor of the Atkinson Board of Selectmen supporting a Six Hundred Fifty-nine Thousand Dollar (\$659,000) federally-funded study to evaluate the economic and environmental feasibility of the extension of commuter rail service, operated by the Massachusetts Bay Transportation Authority (MBTA) from Haverhill, MA to Plaistow, NH, that may include the need to construct a passenger station and a layover facility?

Selectmen: Yes – 0, Abstain – 0, No – 3