

*Town of Atkinson
Board of Selectmen
Meeting Minutes
December 23, 2013*

W. Friel opened the Regular Meeting of Monday, December 23, 2013 at 7:34pm in the Atkinson Town Hall and led all present in the pledge of allegiance.

Members Present:

W. Baldwin
W. Friel
F. Thompson

Others Present:

B. Innes, Town Administrator
T. Stewart, Road Agent

Approval of Minutes:

12/9/13 – Regular Meeting

F. Thompson made a motion to accept the minutes of the 12/9/13 Regular Meeting as submitted. Second: W. Baldwin. 2/0/0. W. Friel abstained from the motion.

12/16/13 – Non-Public Meeting

F. Thompson made a motion to accept the minutes of the 12/16/13 Non-Public Meeting as submitted. Second: W. Friel. 2/0/0. W. Baldwin abstained from the motion.

12/16/13 – Regular Meeting

F. Thompson made a motion to accept the minutes of the 12/16/13 Regular Meeting as submitted. Second: W. Friel. 2/0/0. W. Baldwin abstained from the motion.

12/19/13 – Non-Public Meeting

F. Thompson made a motion to accept the minutes of the 12/19/13 Non-Public Meeting as submitted. Second: W. Friel. 2/0/0. W. Baldwin abstained from the motion.

Appointment:

Plaistow Rail Committee, Alternate – Robert J. Clark

W. Baldwin made a motion to appoint Robert J. Clark as an alternate to the Plaistow Rail Committee for a term of 1 year ending April 2014, since the term is already in session. Second: F. Thompson. 3/0/0.

Old Business:

Selectmen’s Warrant Article Submission

The Board of Selectmen reviewed the following proposed 2014 Warrant Articles and voted on which ones to keep and which ones to discard. Mr. Stewart also appeared before the Board of Selectmen to clarify the articles submitted by him:

Number	Name	Description	Motion
2014-1	Election of Officers		
2014-2	Zoning Articles		
2014-	Updated List of Town Forests	<p style="text-align: center;">Shall the Town vote to designate the following parcels as Atkinson Town Forests, to be managed by the Conservation Commission under the provisions of RSA 31:112?</p> <p>Map 3 Lot 31 1.11-acre gift, unbuildable wetland, abuts the Sawyer Town Forest; Map 3 Lot 47 1.21-acre gift; unbuildable wetland, near Sawyer Town Forest; Map 19 Lot 76 2-acre tax sale, lot landlocked by Fila-Chambers Town Forest; Map 16 Lot 12-1 31.2-acre Judge Marshall RSA 36-A:4 Conservation Parcel.</p>	<p>F. Thompson made a motion to remove article “Updated List of Town Forests” from the warrant. Second: W. Baldwin. 3/0/0.</p>

Number	Name	Description	Motion
2014-	Repurpose Town Lands	<p>2014-_____ Repurpose Town Lands</p> <p>Shall the Town vote to repurpose the following parcels by designating the first for municipal expansion and designating the last three as Atkinson Town Forests to be managed by the Conservation Commission under the provisions of RSA 31:112?</p> <p>Map 20 Lot 15 1-acre purchased from NH DoT as Conservation Land; <i>This lot is under a deed restriction by the New Hampshire Department of Transportation (NH DoT) such that it can only be used for municipal purposes, but its use is not restricted to Conservation. It has frontage on both Route 111 and Hall Farm Road, and could be used by the Town for a new Town Garage, relocated transfer station, or other municipal building.</i></p> <p>Map 12 Lot 12 2-acres from 1992 Lewis Builders Land Swap; Map 12 Lot 7-1 8.25 acres from the 1992 Lewis Builders Land Swap; Map 12 Lot 17 2.6-acre from 1990 Tax Sale. <i>These three lots are landlocked by the Chadwick Town Forest. Repurposing these lots is at the request of the Conservation Commission.</i></p>	<p>F. Thompson made a motion to remove article “Repurpose Town Lands” from the warrant. Second: W. Baldwin. 3/0/0.</p>
2014-	Fire Department Capital Reserve	<p>Shall the Town vote to raise and appropriate the sum of One Hundred Twenty-five Thousand Dollars (\$125,000.00) to be added to the Fire Department Capital Reserve Fund established for the purpose of acquiring fire equipment and vehicles? This is in addition to Article 2014-_____, the Operating Budget.</p>	<p>F. Thompson made a motion to keep article “Fire Department Capital Reserve” on the warrant and to keep the amount at \$125,000 for two years. Second: W. Baldwin. 3/0/0.</p>
2014-	Police Department Capital Reserve		<p>W. Baldwin made a motion to add article “Police Department Capital Reserve” on the warrant after the Fire Department Capital Reserve in the amount of \$5,000. Second: F. Thompson. 3/0/0.</p>
2014-	Community Center Capital Reserve	<p>Shall the Town vote to establish a Capital Reserve account for the purpose of upgrading the facilities at the Atkinson Community Center, and to raise and appropriate the sum of Five Thousand Dollars (\$5,000.00) for this purpose? This is in addition to Article 2014-_____, the Operating Budget.</p>	<p>W. Baldwin made a motion to keep article “Community Center Capital Reserve” on the warrant. Second: F. Thompson. 3/0/0.</p>
2014-	Town Hall Generator	<p>Shall the Town vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00), in addition to Article # 2013-22 for \$25,000, to purchase and install a Town Hall Generator? This article will lapse at the completion of this project or on December 31,</p>	<p>F. Thompson made a motion to keep article “Town Hall Generator” on the warrant. Second: W. Baldwin. 3/0/0.</p>

Number	Name	Description	Motion
2014-	Highway Department Truck #1	<p>2019, whichever comes first, and is in addition to Article 2014-_____, the Operating Budget.</p> <p>Shall the Town vote to authorize the Board of Selectmen to enter into a five-year lease/purchase agreement in the amount of Ninety-Nine Thousand Nine Hundred Fifty Dollars (\$99,950.00) for the purchase a Ford F-550 dump truck, or equivalent, and accessories, for the Highway Department, and to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) for the first year's payment? This is in addition to Article 2014-_____, the Operating Budget.</p>	<p>W. Baldwin made a motion to keep article "Highway Department Truck #1" on the warrant. Second: F. Thompson. 3/0/0.</p>
2014-	Highway Department Truck #2	<p>Shall the Town vote to authorize the Board of Selectmen to enter into a five year lease/purchase agreement in the amount of Thirty-five Thousand Six Hundred Seventy-six Dollars (\$35,676.00) for the purchase of a ¾-Ton 4x4 Club-Cab truck with plow and accessories for the Highway Department, and to raise and appropriate the sum of Seven Thousand Two Hundred Dollars (\$7,200.00) for the first year's payment? This is in addition to Article 2014-_____, the Operating Budget.</p>	<p>W. Baldwin made a motion to keep article "Highway Department Truck #2" on the warrant. Second: F. Thompson. 3/0/0.</p>
2014-	Mosquito Control	<p>Shall the Town vote to raise and appropriate Forty-nine Thousand Three Hundred Ninety Dollars (\$49,390.00) 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 2014-_____, the Operating Budget.</p>	<p>W. Friel made a motion to keep article "Mosquito Control" on the warrant. Second: W. Baldwin. 3/0/0.</p>
2014-	Communications Equipment	<p>Shall the Town vote to raise and appropriate Thirty Thousand Dollars (\$30,000.00) for Atkinson's share of communications' equipment upgrade of the Plaistow Dispatch Center, to improve emergency communications in Atkinson? This article will lapse at the completion of this project or on December 31, 2019, whichever comes first, and is in addition to Article 2014-_____, the Operating Budget.</p>	<p>W. Baldwin made a motion to keep article "Communications Equipment" on the warrant. Second: F. Thompson. 3/0/0.</p>
2014-	Winter Capital Reserve	<p>Shall the Town vote to raise and appropriate the sum of The Thousand Dollars (\$10,000.00) for the Winter Capital Reserve Fund, and to appoint the Board of Selectmen as agents to expend such funds; this sum represents a portion of the unexpended balance of the 2013 Winter Maintenance Accounts, and will come from the Undesignated Fund Balance? This is in addition to Article 2014-_____, the Operating Budget.</p>	<p>W. Baldwin made a motion to keep article "Winter Capital Reserve" on the warrant. Second: F. Thompson. 3/0/0.</p>

Number	Name	Description	Motion
2014-	Reclaim and Pave Oak Hill Circle	Shall the Town vote to raise and appropriate the sum of Twenty Thousand Two Hundred Seventy-four Dollars (\$20,274.00) to reclaim and pave approximately 400 linear feet of Oak Hill Circle? All work will be done under the supervision of the Road Agent. This article will lapse at the completion of this project or on December 31, 2019, whichever comes first, and is in addition to Article 2014-____, the Operating Budget.	F. Thompson made a motion to keep article "Reclaim and Pave Oak Hill Circle" on the warrant. Second: W. Baldwin. 3/0/0.
2014-	Hawthorne Drive Improvements	Shall the Town vote to raise and appropriate Eighty Thousand Four Hundred Seventy-nine Dollars (\$80,479.00) to reclaim and pave approximately .62 mile of Hawthorne Drive and to shim and overlay the remainder of that road? All work will be done under the supervision of the Road Agent. This article will lapse at the completion of this project or on December 31, 2009, whichever comes first, and is in addition to Article 2014-____, Operating Budget.	W. Baldwin made a motion to keep article "Hawthorne Drive Improvements" on the warrant. Second: F. Thompson. 3/0/0.
2014-	Old Coach Road Improvements	Shall the Town vote to raise and appropriate Two Hundred Seventeen Thousand Nine Hundred Nineteen Dollars (\$217,919.00) to reclaim and pave approximately 1.87 miles of Old Coach Road, and to shim and overlay the remainder of that road? All work will be done under the supervision of the Road Agent. This article will lapse at the completion of this project or on December 31, 2009, whichever comes first, and is in addition to Article 2014-____, Operating Budget.	W. Baldwin made a motion to keep article "Old Coach Road Improvements" on the warrant. Second: F. Thompson. 3/0/0.
2014-	Kimball House Shutters	Shall the Town vote to raise and appropriate Two Thousand Dollars (\$2,000) to purchase and install vinyl shutters on the Kimball House? This article will lapse at the completion of this project or on December 31, 2019, whichever comes first, and is in addition to Article 2014-____, the Operating Budget.	W. Baldwin made a motion to keep article "Kimball House Shutters" on the warrant. Second: F. Thompson. 3/0/0.
2014-	Atkinson's 250 th Anniversary	Shall the Town vote to create a 250th Anniversary Expendable Trust Fund, naming the Board of Selectmen as Agents to Expend this fund, for the purpose of celebrating the 250th anniversary of Atkinson's incorporation in 1917; and to raise and appropriate Five Thousand Dollars for this Fund, such money to come from the Undesignated Fund Balance? This is in addition to Article 2014-____, the Operating Budget.	W. Baldwin made a motion to keep article "Atkinson's 250 th Anniversary" on the warrant, but to reduce the amount to \$1,000 and to start a fund and an Adhoc Committee of which the Selectmen will appoint members to. Second: F. Thompson. 3/0/0.
2014-	Replacement Items	Shall the Town vote to instruct the Board of Selectmen to include the cost of items to be replaced in-kind during the current year in the annual Operating Budget instead of by Warrant Article? This shall be effective in 2015, and continue until rescinded by Town Meeting.	W. Baldwin made a motion to remove article "Replacement Items" from the warrant. Second: F. Thompson. 3/0/0.

Number	Name	Description	Motion
2014-	New Trusts	<p>Shall the Town vote to authorize the Board of Selectmen to accept trust gifts, legacies and devises made to the Town for any public purpose that is not foreign to their institution or incompatible with the objects of their organization, without further action by the Town? (RSA 31:19) This shall be effective immediately, and continue until rescinded by Town Meeting.</p>	<p>W. Friel made a motion to remove article "New Trusts" from the warrant unless it can be confirmed this has been done. Second: W. Baldwin. 3/0/0.</p>
2014-	Waterline Connections	<p>Shall the Town vote to raise and appropriate One Hundred Sixty Thousand Dollar (\$160,000.00) to help residents who do not qualify for EPA or State funding, but are in the 1-4, Dioxane water contamination plume, with the cost of the connection to the new water line being installed along Belknap Drive, Emery Drive, Brookside Terrace and Oakridge Drive? Funding of the connections will be a three-tiered process: The first round of funding would be to residents of the 29 homes that show traces of 1-4, Dioxane, who will be awarded one-half of their cost to connect, up to Four Thousand Dollars (\$4,000.00) per household, if they chose to connect to the waterline. The second round of funding will be for residents along the aforementioned roads who do not currently show contamination by 1-4, Dioxane, with each household choosing to connect to receive Two Thousand Dollars (\$2,000.00) (or an even allocation of the remaining funds). Should there be enough funding left for a third round, funds will be allocated equally across all households desiring to connect to the new waterline. This article will lapse at the completion of this project or on December 31, 2019, whichever comes first, and is in addition to Article 2014-____, the Operating Budget.</p>	<p>F. Thompson made a motion to remove article "Waterline Connections" from the warrant. Second: W. Baldwin. 3/0/0.</p>
2014-	Legal Capital Reserve	<p>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 raise and appropriate Ten Thousand Dollars (\$10,000.00) to be deposited in this fund? This is in addition to Article 2014-____, the Operating Budget.</p>	<p>F. Thompson made a motion to keep article "Legal Capital Reserve" on the warrant. Second: W. Baldwin. 3/0/0.</p>
2014-	Heritage Commission and Fun	<p>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?</p>	<p>W. Baldwin made a motion to remove article "Heritage Commission and Fun" from the warrant, but welcomes Tim D. to appear before the Board of Selectmen to clarify the article for reconsideration. Second: F. Thompson. 3/0/0.</p>
		<p>The Heritage Commission shall consist of 7 full members and up to 5 alternate members</p>	

Number	Name	Description	Motion
		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.	
2014-	Repurpose the Cable Capital Reserve Fund	Shall the Town vote to change the purpose of the Cable Capital Reserve Fund, established in 1994 to develop and equip a facility for the Atkinson Community Television to include Information Technology (IT) services? The capital reserve fund will be called the Cable/IT Capital Reserve Fund, for the purpose of purchasing equipment and software, and paying for facility needs to support all aspects of Atkinson Community Television (ACTV), including all cameras, servers, software, computers, streaming equipment, Internet and peripherals, as well as any facility needs required to support it, and the IT needs which include all servers, networking equipment software, computer, Internet and peripherals. This fund should also be used to support future technology changes for both ACTV and IT not explicitly listed herein. (2/3 vote required)	W. Baldwin made a motion to keep article “Repurpose the Cable Capital Reserve Fund” on the warrant. Second: F. Thompson. 2/0/1. W. Friel recused himself from the motion.
2014-	Temporary Occupancy Permit	Shall the Town vote to authorize the Building Inspector to issue a temporary Occupancy Permit, not to exceed 30 days, which may be extended at the discretion of the Building Inspector? RSA 676:12 IV	F. Thompson made a motion to remove article “Temporary Occupancy Permit” from the warrant. Second: W. Baldwin. 3/0/0.
2014-	Proposed ACTV Re-wiring Article		F. Thompson made a motion to keep article “Proposed ACTV Re-wiring Article” on the warrant as amended. Second: W. Baldwin. 3/0/0.

Warrant Article Order Submission

The Board of Selectmen decided the warrant article order submission to be as follows:

1. Election of Officers
2. Zoning Articles
3. Fire Department Capital Reserve
4. Police Department Capital Reserve
5. Communication Equipment
6. Reclaim and Pave Oak Hill Circle
7. Hawthorn Drive Improvements
8. Old Coach Drive Improvements
9. Highway Department Truck #1
10. Highway Department Truck #2
11. Everything else follows

Atkinson Road Agent Status – Full vs. Part Time Hire

W. Friel made a motion to retract the previous motion to leave the decision to make the Road Agent a full-time position and appointed the Road Agent position from a part-time position to a full-time position. Second: W. Baldwin. 3/0/0.

New Business:

Highway Safety Committee Recommendations – Approvals

Mr. Innes explained the Highway Safety Committee met this past Wednesday and created a list of recommendations to present to the Board of Selectmen for approval. Mr. Innes presented the following recommendations to the Selectmen:

1. Speed on Shannon Road/Westside Drive – Complaint from George Steeb
 - a. After discussion it is recommended that increased police presence would be the best way to solve this issue. Bill Innes will discuss with the Police Chief.
2. Speed on Old Coach Road – Complaint from Stacey Athanasiou
 - a. After discussion it is recommended that increased Police presence would be the best way to solve this issue. Bill Innes will discuss with the Police Chief.
3. Street light request at Rte. 121 and Winslow Drive – Request from Keith Maglia
 - a. After discussion it was determine that this is not a safety concern and no action should be taken.
 - b. Motion not to recommend placing a street light at 121 Winslow Drive and Rte. 121 was made by Mike Murphy and seconded by Sue Killam – Unanimous
4. Stop sign issue at corner of Westside Drive and Island Pond Road – sign too low/blocked by vegetation
 - a. After discussion it is recommended that the Road Agent would trim the vegetation near the stop sign.
 - b. Motion was made by Mike Murphy to ask the Road agent and Police Department to consult with the Town Engineer to determine if there is still a need for a three way stop sign at Westside Drive and Island Pond Road. Second Sue Killam – Unanimous
 - c. Motion was made by Mike Murphy to ensure that the sign is installed according to Town Code regulations. Second by Sue Killam – Unanimous
5. Positioning of “Dead End” sign on Bittersweet Lane – complaint from Loren Albright and David Shikes
 - a. After discussion it is recommended that the Road Agent and Town Administrator should meet with Loren Albright and David Shikes to discuss the matter and look for a more equitable solution to placement of the sign
6. Street sign at Sawyer and 121 – Positioning and on top of stop sign
 - a. After discussion it is recommended that there is adequate signage to locate the street
 - b. Bill Innes made a motion to take no action on this issue. Second by Mike Muphy. Unanimous.
7. Dangerous corner at Providence Hill and Sawyer – concern from Davie Shikes
 - a. After discussion, a motion was made to cut back/remove as much vegetation in front of the fire pond at Sawyer and providence Hill Road with the approval of the Selectmen and the land owner. Second by Fred Beckwith. Unanimous.
8. Robie Lane
 - a. Speed on Robie Lane – Chris Gray
 - i. After discussion it was determined that increased police presence would be the best way to solve this issue. Bill Innes will discuss with the Police Chief.
 - b. 3-way stop sign request Upland and Robie; speed on Robie Lane – Complaint from Al Bradley.
 - i. After discussion it was determined that increased police presence would be the best way to solve this issue. Bill Innes will discuss with the Police Chief.
 - c. Dangerous intersection at Robie Lane/Indian Ridge Road – Complaint from Bob Tingley

- i. The Highway Safety Committee determined that no action should be taken this time
9. Update on Dioxane Roadwork
 - a. The Contractor for the Dioxane project would like to complete the piping across Westside Drive at Island Pond Road before stopping the project through at least the holidays. The Road Agent and the Fire Chief have concerns that this would compromise the road during the winter. Bill Innes will ask John McKeown from the EPA to stop work on the project and not dig up the road until the spring.
 10. Sue Killam raised concerns that two cars went off the road on Westside Drive during the most recent snow storm
 - a. Discussion centered on ways to fix the road to stop this from happening. It was determined that speed and not the road itself was probably the issue. The committee agreed that no action should be taken at this time.

The Board of Selectmen agreed with the recommendations from the Highway Safety Committee. Mr. Baldwin asked Mr. Innes to work with Troop G on the truck issue.

Cable Contract Review Legal Firm Selection

Mr. Innes contacted Town Counsel to get a recommendation for legal/technical cable contract review. Epstein and August was suggested. Discussion with Mr. August secured his services, after BoS approval, for a four to five hour review timeframe at a cost of \$200/hour maximum. Mr. Friel advised Mr. Innes to move forward as described and to not spend more than \$1,000.

Additional Items:

Officer Sean Wilson – Resignation

Mr. Innes explained that Officer Sean Wilson has submitted his resignation and his last day will be on January 4, 2014. His contract stipulated that if he left within three years he would have to reimburse the Town a prorated amount of money. Reimbursement to the Town will be \$2,216 to be paid within 90 days of his departure.

F. Thompson made a motion to accept the resignation from Officer Sean Wilson as presented. Second: W. Baldwin. 3/0/0.

Sergeant Caggiano – Resignation

Mr. Innes explained that Sergeant Caggiano has decided to retire and has also submitted his resignation.

F. Thompson made a motion to accept the resignation from Sergeant Caggiano. Second: W. Baldwin. 3/0/0.

New Police Chief

Mr. Friel explained that a new interim Police Chief has recently been appointed. He is currently the Chief Deputy of the Rockingham Sheriff's Department. Several applications have been received for the open Police Chief position. The NH Chief's Association will be reviewing the applications/resumes, scheduling interviews, and performing background checks in order to choose the "best fit" candidate to fill the position.

1-4 Dioxane Issue

Mr. Innes explained he has received an email from John McKeown informing him the EPA will stop work for the winter season as of next week. The EPA has laid pipe under on Island Pond Road, including under Westside Drive. The pipe will be pressure tested this week. Two fire hydrants have been installed and testing will be completed on those as well. Surveys have been completed on 18 properties. The rest of the work will be sent

out to bid and will start in late spring after mud season. Mr. Friel asked Mr. Innes to check on the proper protocol for approving fire hydrants to be installed in town.

New Fuel Storage Facility

Mr. Friel explained the decision made last week for all Town Employees to use the new NHDOT fuel site may need to be reconsidered until further investigation of the pricing is done. Mr. Innes will supply the Board of Selectmen with an analysis of gas prices around the surrounding area and how they compare to the new NHDOT fuel site before any decisions are made.

F. Thompson made a motion to retract his motion made on Monday, December 16, 2013 for all Town Employees to use the new NHDOT fuel site located in Kingston, NH for diesel and gasoline for all town vehicles and to cancel all other accounts. Second: W. Friel. 3/0/0.

E-911

Mr. Thompson would like to see the E-911 issue on the agenda each week and would like a decision to be made before the end of the year. Mr. Innes will get in touch with Tom Fay on the outstanding issues so that the Selectmen can move forward with this process.

Future Dates:

- 12/24-25/2013 – Town Offices closed for Christmas Holiday 12/24 @12 Noon, 12/25 All Day
- 1/1/2014 – Town Offices closed for New Year’s Holiday
- 1/14/2014 – Deadline for Citizens’ Petitions 5pm
- 1/21/14 – Budget Committee Public Hearing 7pm
- 1/22/14 – First day to file for elected office
- 1/27/14 – Last day for Selectmen to post warrant and budget
- 1/31/14 – Last day to file for elected office
- 3/4/14 – Annual report must be available
- 3/11/14 – Town meeting (elections)

F. Thompson made a motion to adjourn the Regular Meeting of Monday, December 23, 2013 at 9:16pm. Second: W. Baldwin. 3/0/0.

Respectfully Submitted,
Amanda Lueders

Williams Friel, Chair

William Baldwin

Fred Thompson