

**STATE OF NEW HAMPSHIRE
TOWN OF ATKINSON
2022 DELIBERATIVE SESSION MINUTES
Saturday, February 5, 2022
Atkinson Academy**

2022 WARRANT

To the inhabitants of the Town of Atkinson, in the County of Rockingham, in the State of New Hampshire, qualified to vote in Town affairs:

First Session of the Annual Meeting:

You are hereby notified to meet at the Atkinson Academy, 17 Academy Avenue in Atkinson, New Hampshire, on Saturday, the 5th day of February, at 10 o'clock in the morning to deliberate on the articles included in the Warrant. This session will consist of explanation, discussion, and debate of Warrant Articles 2022-6 through Article 2022-27. Warrant Articles may be amended at this session per RSA 40:13, IV, except for warrant articles whose wording is proscribed by law and cannot be amended per RSA 40:13, IV (a). Warrant articles that are amended shall be placed on the Official Ballot for a final vote as amended. ******Covid-19 Safety Protocols will be enforced: Masks/Face Coverings are required in the Atkinson Academy Building. Social distancing will be enforced at the Deliberative Session in the Atkinson Academy Building.******

Second Session of the Annual Meeting:

You are hereby notified to meet on Tuesday, the 8th of March 2022, at the Atkinson Community Center, 4 Main Street in Atkinson, NH, to vote by Official Ballot on the election of Town Officials and all Warrant Articles. By the vote of the Selectmen, the polls for the meeting will remain open from 7 o'clock in the morning until 8 o'clock in the evening.

In Attendance:

Moderator, James M. Garrity and Moderator Pro Tem, John Troy; Selectmen Chair, Gregory Spero, Selectmen: William Friel, Beth Cacciotti, and Bob Worden; Interim Town Administrator Barbara Snicer, Town Clerk, Julianna Hale, Deputy Town Clerk, Kari Bodycote; Supervisors of the Checklist: Leslie Barbera and Catherine Zerba, Budget Committee Co-Chairs, William Smith and Wendy Barker; Budget Committee Members: Peter Torosian, Raymond Fournier, and Robert Malo; and a total of **94** registered voters were there throughout the day. Also present were non-voters including an audio-visual crew and our Cable Coordinator, David Williams.

Pro Tem Moderator, John Troy, was sworn in at 9:45 a.m.

Call to Order:

Moderator Jim Garrity called the meeting to order at 10:02 am. The meeting opened with a moment of silence for all those lost over the past year, including Pastor Paul Dionne. A prayer followed, led by Pastor Jim Thomas of Atkinson Congregational Church in Atkinson then the Pledge of Allegiance led by Pro Tem Moderator, John Troy. The Moderator then asked those sitting up front to introduce themselves representing the Selectmen, Town Administrator, Town Clerk's Office, and the Budget Committee. Snacks were available for sale from the Atkinson Women's Civic Club.

The Moderator, James Garrity, reviewed the purpose of the meeting, how it would run and the Moderator’s Rules and rules of debate. This included his requirement to refer to any speakers as “My Good Neighbor” and limit the floor-time to 3 minutes. He reiterated that what is voted on today will be on the March Town Election Ballot. He let residents know that the TRSD Deliberative Meeting would be taking place next week. Those not wearing masks were seated in another area outside the room. He reiterated that we are to talk about the policy not the person or the process.

Moderator Garrity noted the non-voters present who have permission to speak but cannot make an amendment or vote: Library Director, Karen Brown, Police Chief Tim Crowley, Fire Chief Brian Murray, Road Agent Matt Sullivan, Ray Bonin, Exec. Director of Isaiah 58, David Williams of ACTV and other Town Department Heads.

This meeting was public and was recorded on Livestream and Facebook for those who could not attend the day’s session.

Article #2021-1 Election of Officers:

Moderator Garrity explained to the voters that while most officials are elected by ballot at the March Town Election, the Fence Viewers and Surveyors of Wood & Lumber are elected here, during Deliberative Session.

Moderator Garrity read the slate of three candidates for three Open Seats (1-year terms) for 2022-2023 Fence Viewers: Kenneth Grant, Susan Killam, and Scott Sullivan. No objections were made and no new nominations from the floor were presented.

Moderator presented the slate for the 2022 Fence Viewers

PASSED

Moderator Garrity read the slate of three candidates for three Open Seats (1-year terms) for 2022-2023 Surveyors of Wood and Lumber: John Feuer, Edward Stewart, and Paul Wainwright. No objections were made and no new nominations from the floor were presented.

Moderator presented the slate for the 2022 Surveyors of Wood and Lumber

PASSED

Moderator Garrity read the 2022 Slate of Open Offices with the names of candidates who have filed to run for election. (See Attached *2022 Candidates for Open Seats* exhibit).

Moderator Garrity explained that Articles #2022-2 through #2022-5 cannot be amended or deliberated, as they are Planning articles which already had their own public hearings. The Articles must go to the March 8th ballot as written.

Article #2022-02 Amend Zoning Article III - Definitions

Are you in favor of the adoption of the following zoning amendments to the Atkinson Zoning

Ordinance - Article III: Definitions as proposed by the Planning Board?

Remove existing corresponding Article III Definitions and replace with:

A3-Agricultural and Forest Uses -

Uses generally associated with agriculture and forestry endeavors, specifically excluding the establishment of permanent sawmill operations, but including the keeping of livestock consistent with the requirements under RSA 21:34-a Definition of Farm, Agriculture and Farming.

A4-Agricultural Use -

Land containing at least (5) acres which is used for raising livestock or agricultural or forest products; including farm structures and the storage agricultural equipment; riding and boarding stables; and, as an accessory use, sale of agricultural products. Agricultural use shall not include permanent sawmill operations, and non-residential uses shall meet the non-residential requirements of this ordinance and be consistent with requirements under RSA 21:34-a Definition of Farm, Agriculture and Farming.

F-2 Family

One individual or a group of individuals.

Q1-Qualified Soils Scientist

Meaning a person qualified in soil classification and who is recommended or approved by the list of certified NH Soil Scientists provided by the USDA Natural Resource Conservation Service

(https://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053929)

S4-Single Family Residence

A detached single dwelling unit means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more persons, family or families with living accommodations including sleeping, cooking and sanitary provisions.

Delete existing Article III Definition: **P1 - Permanent Residents**

Recommended by the Planning Board by a vote of 6 to 0

Article #2022-03 Remove Sections from Zoning

Are you in favor of the removal of the following sections from the Atkinson Zoning Ordinance as proposed by the Planning Board?

DELETE - Article II, Section 240:1 LOTS IN TWO ZONING DISTRICTS

DELETE - Article IV, Section 410:11 WATER FLOW MONITORING

Recommended by the Planning Board by a vote of 6 to 0

Article #2022-04 Adopt Revised Zoning Accessory Dwelling Unit Section

Are you in favor of the adoption of the following zoning amendment to the Atkinson Zoning Ordinance Article IV, Section 460:3 k – Accessory Dwelling Unit as proposed by the Planning Board?

Remove existing Article IV, Section 460:3 k and replace with:

Section 460:3.k. In accordance with the standards of the Town and regulations adopted by the New Hampshire Department of Environmental Services (NH DES) in compliance with RSA 485-A:38, the water and septic facilities, whether separate or shared, shall be adequate to service both the existing dwelling unit and the accessory dwelling unit. Proof of adequacy shall include a septic inspection by a licensed inspector or submission of the plan on record for the existing system indicating adequacy and proper function. If the existing septic system is not adequate, a replacement plan/design approved by NH Department of Environmental Services in the case of failure of the existing system, shall be submitted or installed.

Recommended by the Planning Board by a vote of 6 to 0

Article#2022-05 Modify General Farming and Keeping of Animals

Are you in favor of the adoption of the following zoning amendments to the Atkinson Zoning Ordinance - Article IV, Section 440:1 General Farming and the Keeping of Animals as proposed by the Planning Board?

Remove existing Article IV, Section 440:1 and replace with:

Section 440:1 General farming activity and the responsible keeping of animals for other purposes shall be permitted provided the following criteria are met.

- a) Large animals (all hooved animals) shall not be kept on lots of less than one acre.
- b) Per each full acre of lot size, one hooved animal shall be allowed.
- c) Housing and fencing must be appropriate for safe containment of animals on the property. At no time will animals or poultry be allowed to wander onto a roadway or abutting property, nor shall they be allowed to inflict damage to neighboring properties and infrastructure or landscape features, people or animals. Barns and stables and shelters of all kinds shall be a minimum of 15 feet from property lines. Fences shall be a minimum of 5 feet from property lines.
- d) Waste matter (manure, wasted feed) must be managed according to the NH Department of Agriculture Best Management Practices so that unsanitary conditions do not develop that can be harmful to the environment. Obnoxious odors or infestations of insects or rodents shall not be allowed to develop.
- e) Beekeeping shall be allowed on any lot. Hive structures will be a minimum of 50 feet from

property lines.

Any proposed keeping of animals that does not meet the above stated criteria will require a variance from the Zoning Board of Adjustment.

Recommended by the Planning Board by a vote of 6 to 0

Normally, there is no discussion at all for Planning or Zoning articles at Deliberative. However, the Moderator instituted Rule #4 even though no amendments or changes can be made to these Articles, but the Moderator will allow each party to offer a 2-minute, public statement.

Moderator Garrity educated the body about how a Planning/Zoning article makes its way to the Ballot prior to Deliberative. The Selectmen have no power or authority to do anything to the Zoning/Planning Articles, nor does the Deliberative body. The Articles are legally on the warrant and will be legally on the ballot.

Moderator Garrity recognized resident Karen Steele at the microphone.

Karen Steele, 4 Pebble Brook, explained that “there’s been a lack of due process....” regarding Article #2022-05. She went on to say that since these Articles cannot be changed at Deliberative, there should be more, not less, transparency and involvement in the process. Article 2022-05 presents two major concerns to her; one that impacts every single landowner in Atkinson. By removing the word “corral”, now all fencing must be 5 ft from property lines. A regulation that does not exist today. The other related to Beekeepers of hive placement being 50 ft from property lines. From research, she could find no other town, city, county or state in the US that requires a generic hive setback of greater than 15 ft. The purpose of the Public Hearing is for the Board to receive feedback from the Public, modify accordingly and then to have a 2nd Public Hearing. She said that this Planning Board failed to have their public hearing by the January 17th deadline instead it was held on January 19th. The Planning Board knew there was no time for a 2nd Public Hearing, so they accepted no changes to their Planning & Zoning Articles and the Board suggested that these changes, to which they agreed were valid, could be presented next year. Karen said that basically, without public input, the Planning Board decided that the Public didn’t deserve a 2nd Public Hearing by ensuring the 2nd public hearing wasn’t possible and they didn’t accept changes at their Public Hearing. The only way any resident would have known about these changes is one physically went to the Town Hall and looked on the bulletin board between 12/1/21-12/15/21 and then attend the 12/15/21 Planning Board meeting. Given the lack of due process, (she) was hoping to request that this Article #2022-05 be removed from the warrant and not be placed on the ballot. Instead, she encouraged all her good neighbors to vote NO on #5.

Moderator Garrity recognized resident and Planning Board Chair, Sue Killam at the microphone for 2-minute rebuttal.

Sue Killam, 48 Westside Dr, Chair of Planning Committee. She shared that she sincerely regrets that any resident feels that the Planning Board didn't conduct fair and due process. She stated that they follow the law 100%. Every meeting is public. Every meeting is televised. Every meeting is published in the Eagle Tribune and posted as required by RSA. My Good Neighbor who just spoke attended meetings and her voice was heard, but the Board chose not to change the article. That's the way the process works. There's never been a Beekeeping ordinance on the books in Atkinson. As a beekeeper, just like Ms. Steele, we're both responsible beekeepers. I don't think either of us would put our hives within 15 ft of our neighbor's property because they have children. It can change in the future. Let's let the voters decide.

Moderator declared all Planning Articles #2022-02- #2022-05 move to the ballot as written.

Moderator Garrity explained that the flyer that went out needed to go to print before the DRA provided final input. The final Warrant is hanging on the wall in the entranceway. The articles that the Moderator will read into today are the official articles.

Article#2022-06 Operating Budget

Shall the Town raise and appropriate as an Operating Budget, not including appropriations by Special Warrant Articles and other appropriations voted separately, the amounts set forth on the budget posted with the Warrant, or as amended by vote of the first session, for the purposes set forth therein, totaling Five Million Seven Hundred Eighty-nine Thousand Six Hundred Ninety-nine Dollars (\$5,789,699)? Should this article be defeated, the Default Budget shall be Five Million Five Hundred Twenty-three Thousand Four Hundred Twenty Dollars (\$5,523,420), which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one Special Meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a Revised Operating Budget only.

Recommended by the Budget Committee by a vote of 4 to 2

The Moderator recognized Budget Co-Chair, Bill Smith to review a budget presentation.

Chair Bill Smith: largest increase in 12 years. Understanding many factors for increased spending needs of the town

- Baby Boomers Retiring
- Demographics
- Salary Increases are the biggest factor
- Labor Shortage
- Competition to hire people
- Population Growth.

This year's budget is a 10.66% increase over 2021.

The Moderator explained that we will discuss one major subcategory at a time and then vote on the final budget number reflecting today's amendments at the end of the subcategory discussions.

Moderator Garrity asked if there was any discussion on the GENERAL GOVERNMENT budget line.

Barbara Snicer, 10 Edmund circle, made a motion to amend line item **41302.210.00** by an additional **\$27,651**.

She explained that Health Insurance was overlooked for both the Town Administrator & Assistant Town Administrator. This total reflects the Town's cost for one family & one single health insurance coverage.

Seconded by Selectman Bob Worden.

Peter Torosian of 18 Pineknoll Rd and member of Budget Committee spoke about how things happened last minute. Numbers were not received until minutes before the need to vote. The numbers should have been available earlier.

Selectman Bob Worden of 19 Salem Rd responded that the contractual agreement was reached just weeks before and numbers were submitted as soon as they were received.

Moderator Garrity moved the amendment to the floor for a vote by a show of hands.

AMENDMENT PASSED

Brian Boyle of 24 Winslow Dr made a motion to amend line item **41948.430.00** - Buildings, Community Center, General Maintenance - by **\$17,000** to make the new total of that line \$35,000.

Mr. Boyle went on to say that this money would be to replace the decks at the Community Center. Someone offered to volunteer to build the decks for free. We need to make sure that laborers who work on Town buildings are insured. When the bid comes out, anyone can put in a quote if insured, even volunteers.

Motion was seconded by Sue Coppeta.

Peter Torosian of 18 Pineknoll Dr explained that the volunteers who offered are working on obtaining insurance. The Town embraces volunteer work. The Building Inspector would still inspect the work. Based on this information is why the Budget Committee adjusted the number. There is \$30,000 in Capital Reserve Fund which could be used if the \$17k doesn't pass.

Barbara Snicer of 10 Edmund Circle disagreed with the Good Neighbor who spoke. The undesignated fund balance is not available to use for this. We must be totally out of money to utilize these funds under extreme circumstances.

David Holigan of 13 Chase Island said let's not be pennywise pound foolish. (We're) always cutting money out of maintenance and this will make an impact in the future. Spoke in favor of the amendment.

Holly Patterson of 23 Pope Rd said the Town is responsible to pay for improvements. If we are fortunate to have someone volunteer, then great! If not, we need the money in case. Spoke in favor of the amendment.

Peter Torosian of Pine Knoll cleared up a couple of misstatements. The budget was fully funded for the building of the Fire Dept and Library. Those failures were due to lack of proper building and proper inspection. The library didn't fail b/c not enough money, the Board of Trustees decided to change the spacing of the siding to use money elsewhere. My understanding is the capital money can be used for this repair. He asked that people please vote against the motion.

David Holigan of 13 Chase Island, clarified and was not complaining.

Leon Artus of 114 Maple Ave said that when investigating the Library and Fire Station, there was no oversight over the building of those buildings, per a Selectmen. If we pay for a building and it's not put up properly or inspected properly, that's the Town's responsibility. Don't fund unless we have an ordinance that requires our Town Buildings to be inspected by a qualified Inspector.

Brian Boyle of Westside Dr stated that this is about needing money to replace a deck. If volunteers get paperwork, great! We need money in the budget.

Moderator Garrity moved the amendment to the floor for a vote by a show of hands.
AMENDMENT PASSED

Brian Boyle of 24 Winslow Dr, motioned for an amendment to increase line item **41942.430.00** – General Maintenance – Town Garage Doors by **\$12,000** to make a new total on that line of \$16,100. The town garage doors won't last more than 2 weeks.
Motion seconded by Mike Turrell of 3 Woodlawn Ave.

Moderator Garrity moved the amendment to the floor for a vote by a show of hands.
AMENDMENT PASSED

Ken Grant of Crown Hill Rd made a Parliamentary inquiry. Line #41974 - Advertising & Regional. In 1975 the Town adopted as warrant article to join the Southern Rockingham Regional Planning Commission. It has been reformed. We joined to provide local planning services at no additional fees. We now pay additional fees. Additionally, the article required the BOS is supposed to appoint two Town Representatives as Commissioners. We haven't had two commissioners in years. Question: When does a line item generated by a Warrant Article become sufficiently changed enough get submitted as a new warrant article?

Moderator Garrity asked the Selectmen "Why is it called Advertising & Regional?" Clarification was made as this would be a regional expense and used by more than just the Planning Board. It's a catch-all for anything regional. If RPC does all the work - Why not call it Regional Planning Commission Dues? Then every year, it would be clear as to what we pay.

Based on all the amendments thus far, the new total for General Government: \$27,651+\$17,000 + \$12,000 = **\$1,277,868.00**

Moderator Garrity moved the amendment to the floor for a vote by a show of hands.
AMENDMENT PASSED

Moderator Garrity moved the vote to the floor by a show of hands to approve GENERAL GOVERNMENT as amended:

MOTION PASSED

General Government will move to the ballot as amended.

Moderator Garrity called PUBLIC SAFETY to the floor for discussion.

No discussion or amendments. Public Safety portion of the budget goes as written.

Moderator Garrity called HIGHWAYS & STREETS to the floor for discussion.

Barbara Snicer of 10 Edmund Circle made a motion to amend line item **43111** and sub lines. (The Town) hired an additional laborer at amounts greater than budgeted. Sublines: Salary 43111.210 - \$6240, Fica 43111.220 - \$387, Medicare 43111.225 - \$90, Retirement 43111.230 - \$892.00. Total increase to that line of **\$7609.00**

The motion was seconded by Selectman Bob Worden.

Edward Stewart of 165 Main Street asked if this person was the replacement for the Assistant Road Agent who quit in September 2021?

Selectman Worden responded, "No," this was not filled under that title. This is a second laborer position. The title of Assistant has been dissolved.

Paul Busby of 5 Conley Road, spoke on behalf of the Road Agent. This department has always been three people and spoke in favor of this amendment to bring the department back to three people.

Selectman Worden spoke in favor of this amendment. This new laborer brings additional resources to the Town. He has truck mechanic skills and is a certified arborist. The increase is worth it.

Moderator Garrity moved the amendment to the floor for a vote by a show of hands.

AMENDMENT PASSED

Moderator Garrity moved the vote to the floor by a show of hands to approve HIGHWAYS & STREETS as amended:

MOTION PASSED

Budget section of HIGHWAYS & STREETS moves to the ballot as amended.

Moderator Garrity called SANITATION & RECYCLING DISPOSAL to the floor for discussion.

There was none.

SANITATION & RECYCLING portion of the budget goes to the ballot as written.

Moderator Garrity called the HEALTH & WELFARE section of the budget to the floor for discussion

Jane Kowalski of 5 Wellington Circle made a motion to increase line item **44152.350.02** – SoRock Coalition by **\$7014**. Respectfully request this line be increased back to \$7015 which is where it was when it passed by a successful warrant article in 2020 and approved to be a part of the ongoing budget. When the 2021 budget did not pass, SoRock was not funded. SoRock served 387 people from Atkinson. Thankfully, due to COVID, they received Federal Funding in 2021.

The motion was seconded by Sam Butler, 45 Maple Ave.

Police Chief Crowley approached the mic to speak in favor of this amendment. He said SoRock has been a great asset to the PD. They are a great resource and a great benefit to the town. The added resource kits in all police cars.

Budget Committee member Peter Torosian then spoke about why the Committee did not approve this funding request because they couldn't get specifics on how exactly the 387 residents were served.

Jane Kowalski said the information was put through twice through the proper channels through the Town Administrator's Office. There's a hand-out available today with 25 bullet points outlining the services provided.

Chris Winchell of 60 East Rd stated he is in favor of amendment.

Moderator Garrity moved the amendment to the floor for a vote by a show of hands.

AMENDMENT PASSED

Moderator Garrity moved the vote to the floor by a show of hands to approve HEALTH & WELFARE as amended:

MOTION PASSED

Budget section of HEALTH & WELFARE moves to the ballot as amended.

Moderator Garrity called CULTURE & RECREATION to the floor for discussion.

There was none.

Budget section of the Culture & Recreation portion of the budget goes to the ballot as written.

Moderator Garrity called the CONSERVATION section of the budget to the floor for discussion.

There was none.

Conservation portion of the budget goes to the ballot as written.

Moderator Garrity called the DEBT section of the budget to the floor for discussion.

Budget Chair Smith said principal is the same as last year, but interest is down because we owe less.

Debt portion of the budget goes to the ballot as written.

New 2022 Budget bottom Line: \$5,860,972.00 12.02% increase over last year.

Moderator Garrity read Article #2022-06 as amended.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-06 as amended:

AMENDED ARTICLE PASSED

Moderator declared Article #2022-6 moves to the ballot as amended.

Brian Boyle made a motion to restrict reconsideration on #6 except for math changes.

The motion was seconded by Barbara Snicer of 10 Edmunds Cir.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-06.

PASSED

Article #2022-07 Master Plan Update

Shall the Town vote to raise and appropriate the sum of Seventy-five Thousand Dollars (\$75,000) to contract for professional services for the completion of a comprehensive update of the Town of Atkinson's Master Plan, such funds to come from the Undesignated Fund Balance? No additional tax dollars are required. This update will be conducted with the assistance of qualified professional consultant(s) and will include a robust public participation process. It is anticipated that this update will take 18 months to complete. This is a non-lapsing Article per RSA 32:7 VI and will not lapse until the project is complete or until December 31, 2027, whichever comes first. This is in addition to Article #2022-06, the Operating Budget.

RSA 674:3 recommends that Master Plans are revised every 5-10 years. The Town of Atkinson completed its first Master Plan in 1980 and has updated this periodically since that time. The most recent Master Plan Community Survey was conducted in 2012, and the Master Plan was adopted in 2015 with updates and revisions to the Vision (2015), Future Land Use (2014) and Community Facilities (2012) sections. RSA 674:2 requires that the Master Plan to include the Vision and Future Land Use sections.

**Recommended by the Selectmen by a vote of 5 to 0
Not Recommended by the Budget Committee by a vote of 6 to 1**

John Ottow of 33 Ridgewood Drive and member of the Planning Board made a presentation on behalf of the Planning Board and spoke in favor of Master Plan.

Ken Grant of 19 Crown Hill Road, made a motion to amend the Article to include a Capital Improvement Program (CIP) section (to Master Plan.)

The motion was seconded by Sam Butler, 45 Maple Ave.

Karen McFadden of Bittersweet Lane, Alternate on Planning Board spoke that back in 2012, the Town voted to turn over to the Selectmen's Office the Master Plan. Now assigned to the Governing Board, not the Planning Board. The Master Plan is the first step. Capital Improvement Plan is a second step. Master Plan is input into Capital Plan.

Ken Grant has watched the process over the past months. Much of the communication was not well communicated. There is no single place that collects all CIPs across all boards. There is no sense on how they fit within a community. They should be presented in a format to be reviewed by the community. All major Department Capital Plans should be collected by all and presented to the Community. These should be included in the updated Master Plan.

Karen McFadden of 17 Bittersweet responded that the \$75,000 quote was based on four vendors. It doesn't include a CIP plan. The money quoted does not include a CIP.

Ken Grant did not intend to add an additional cost. Only information to the Planning Board and the public.

Moderator Garrity moved the amendment to the floor for a vote by a show of hands.

AMENDMENT FAILED

Ken Grant of 19 Crown Hill Road made a motion to amend this Article to include "Each calendar month a substantive public presentation promoting interest in, and understanding of, the Master Plan of the Town of Atkinson, shall be provided." If the required substantive public presentation is not presented in any two (2) Calendar months, spending from this article shall be suspended until and unless restored by this legislative body.

The motion was seconded by MaryBeth Torosian, Pineknoll Rd.

Mr. Grant said it's the responsibility of the Planning Board to communicate to the community. If we require the Planning Board to perform their duties, we'll be better off.

John Ottow of 33 Ridgewood Drive agrees in spirit with the amendment but feels it's not realistic. The Board is not intended to get into the process until the summer or fall. Unrealistic to ask for feedback before the plan happens.

Karen McFadden of 17 Bittersweet, asked the question, "When would the amendment begin?" Will there be a time to organize and put committees together first?

Ken Grant answered if/when the article passes, and money becomes available. It doesn't have to be specific. They can use judgement and community resources to present substantive input from the community, which is generally not being done right now.

If article and amendment pass on March 8th, would the Planning Board present that month?

Mr. Grant responded that whether it passes, the Board is required to provide some type of presentation / plans relative to the Planning Board doing their job.

David Holigan of Chase Island said, “My good neighbor has good intent, but can’t force volunteers to do their job”. Use the states process to hold them accountable.

Barbara Snicer of 10 Edmund Circle responded that she’s not sure what my Good Neighbor is looking for. Everything is public currently. Meetings are televised and recorded. Minutes are public. What more can they do?

Moderator Garrity moved the amendment to the floor for a vote by a show of hands.

AMENDMENT FAILED

Moderator Garrity asked if there is any more discussion on the original wording of the article.

Budget Committee member Peter Torosian of 18 Pine Knoll said the Budget Committee does not recommend it. He said that “We’re not against the Master Plan but wanted to see more detail.” Not opposed to the plan. Would like for it to be reconsidered for next year with more detailed plans. He asked the Voters to please vote against this warrant article.

Chris Winchell of 60 East Road asked, “Why did the Selectmen vote to recommend it?”

Selectman Bob Worden of 18 Salem Road, “Can’t get to where you want to go unless you have a map.” Last plan was outdated. Board can supply current resources to add to it. The Board can contribute to make it complete and help us move forward in the future.

Sue Coppeta of 5 Murray Drive, also a Town employee in the Planning & Zoning Department responded: “In that capacity, I was asked to research how much was spent historically to do Master Plan updates.” Some cost money and some are volunteer efforts. Last update done hands-on volunteer. Fairly inexpensive. Before that, at the end of 80’s early 90’s, Town approved \$41,600 for master Plan update - 35 years ago. \$75,000 is a big number but is not unheard of. There are 3500 residential properties in town. \$20 that has already been taxed in the undesignated fund balance. No additional tax. We have the money already. Much has changed since 2012. It’s a good time to take the pulse of the residents and a good way to spend the money.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-07 as written:

MOTION PASSED

Moderator declared Article #2021-07 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-07.

The motion was seconded by Selectman Bill Friel.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-07.

PASSED

Restriction of reconsideration is adopted.

Article #2022-08 Additional Police Personnel

Shall the Town vote to raise and appropriate the sum of Thirty-two Thousand Two Hundred Thirty-eight Dollars (\$32,238) to hire an additional full-time Police Officer effective August 1, 2022? This amount covers 5 months' cost. This position will become part of the Police Department's Operating Budget at an initial annual rate of approximately \$83,752 beginning in 2023. This is in addition to Article #2022-06, the Operating Budget.

Recommended by the Selectmen by a vote of 5 to 0
Not Recommended by the Budget Committee by a vote of 5 to 2

Chair recognizes Police Chief Crowley. Chief Crowley explained that looking forward 18-24 months, number of houses and residences will add up to 500-750 additional people in the town. There was a 26% increase in motor vehicle accidents, and a 10% increase in arrests from 2020 to 2021. Domestic calls went down in 2021 over 2020. In 2020, we had one incident of vehicle break-in. In 2021, we had 18. Average police staffing is 2.2 officers per thousand residents. Atkinson is at 1.1 Officers – we are understaffed. Trying to catch up in preparation of population growth. There are times when an officer is on duty alone. Shouldn't ever have one person on duty by themselves. Start date is based on recruiting time. Takes months to get someone recruited. We were shooting for August start date. At best, now we're looking at early 2023.

Peter Torosian asked, "Are we still among the lowest crime rate in NH"? Chief Crowley said we're always in the top three. The biggest hit on our payroll is all the benefits. The last three hires were still young enough to be on parents' insurance.

The Moderator asked if there is any discussion. There was none.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-08 as written:

MOTION PASSED

Moderator declared Article #2022-08 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-08. The motion was seconded by Selectman Bill Friel.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-08.

PASSED

Restriction of reconsideration is adopted.

Article #2022-09 Library Siding

Shall the Town vote to raise and appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) to remove and replace the siding at the Kimball Library, such funds to come from the Undesignated Fund Balance? No additional tax dollars are required. This is a non-lapsing article per RSA 32:7 VI and will not lapse until the project is complete or until December 31, 2027, whichever is sooner. This is in addition to Article #2022-06, the Operating Budget.

Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 6 to 0

Brian Boyle of 24 Winslow Drive and the current Building Inspector said we failed the siding. Pointless to discuss how. The library is there and needs to be repaired before more damage is done. Met with several contractors. Very confident this amount will get it done. Money includes repair work under the siding in addition to replacing the siding. Money to come from undesignated fund balance. Hope the residents will support it.

Tom Kelly of 125 Cowbell Crossing is in support of article. Will be done right with oversight of Building Inspector.

Nancy Coville spoke in favor. President of Friends of Library. Assessment in 2019 found siding issue. Funds to come from undesignated fund balance. No additional tax required. The cost to repair will rise the longer the repair is put off. Mr. Boyle will be on top of repair work.

Budget Member, Peter Torosian – Budget Committee votes in favor. Last year we didn't recommend because the price was double than is now. Please support this article.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-09 as written:

MOTION PASSED

Moderator declared Article #2022-09 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-09. The motion was seconded by Kay Galloway, 26 Aspen Rd.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-09.

PASSED

Restriction of reconsideration is adopted.

Article #2022-10 Fire Department Capital Reserve

Shall the Town vote to raise and appropriate the sum of One Hundred Forty Thousand Dollars (\$140,000) to be added to the Fire Department Capital Reserve Fund, as modified March 14, 2000 (Article #2000-28) for the purpose of acquiring fire equipment and vehicles, as outlined by the Board of Engineers' Capital Improvement Plan? This is in addition to Article #2022-06, the Operating Budget.

Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 6 to 0

The Moderator asked if there is any discussion. There was none.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-10 as written:

MOTION PASSED

Moderator declared Article #2022-10 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-10.
The motion was seconded by Kay Galloway, 26 Aspen Rd.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-10.

PASSED

Restriction of reconsideration is adopted.

Article #2022-11 Fire Department Personal Protective Equipment

Shall the Town vote to raise and appropriate the sum of Fifty-nine Thousand Two Hundred Sixty-nine Dollars (\$59,269) for the purchase of ten (10) sets of Structural Firefighting Personal Protective Firefighting Equipment (PPE)? This is a non-lapsing article per RSA 32:7 and will not lapse until the project is complete or until December 31, 2027, whichever is sooner. However, these funds will only be spent in the event that the Fire Department is unable to acquire outside funding. This is in addition to Article #2022-06, the Operating Budget.

Recommended by the Selectmen by a vote of 5 to 0

Not Recommended by the Budget Committee by a vote of 5 to 1

Selectman Bob Worden of 18 Salem Road, moved to amend article 2022-11 to strike “Fifty-nine Thousand Two Hundred Sixty-nine Dollars (\$59,269)” and replace with “One Dollar (\$)”. Strike “However, these funds will only be spent in the event that the Fire Department is unable to acquire outside funding.” And replace with “Funding will come from Federal Grants.”
The motion was seconded by MaryBeth Torosian, 18 Pineknoll Rd.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-11 as amended:

AMENDED ARTICLE PASSED

Moderator declared Article #2022-11 moves to the ballot as amended.

Board Chair, Greg Spero moved to restrict reconsideration of Article #2022-11.
The motion was seconded by Selectman Bill Friel.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-11.

PASSED

Restriction of reconsideration is adopted.

Article #2022-12 Establish a Rural Firefighting Water Supply Program

Shall the Town vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000) to hire a consultant to assist the Fire Department in the evaluation of the current rural water supply system and creating a long-term Rural Water Supply Plan for the entire Town? This was a recommendation of the November 2020 Fire Department assessment and review by

Municipal Resources, Inc. (MRI Report). This evaluation will aid in the Fire Department's move toward an improved International Standards' Organization (ISO*) rating of 5. This is a non-lapsing article per RSA 32:7 and will not lapse until the project is complete or until December 31, 2027, whichever is sooner. This is in addition to Article #2022-06, the Operating Budget.

*The International Organization for Standardization is an international standard-setting body composed of representatives from various national standards organizations. Founded on 23 February 1947, the organization develops and publishes worldwide technical, industrial, and commercial standards.

**Recommended by the Selectmen by a vote of 5 to 0
Not Recommended by the Budget Committee by a vote of 4 to 3**

Moderator recognized Fire Chief Brian Murray at the microphone. He explained that this Article will evaluate what we currently have and help develop a roadmap going forward. The current system was put in place when structures were smaller. This is part of the MRI study recommendations. This will help us move forward to reduce our ISO rating and eventually reduce our insurance rates.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-12 as written:

MOTION PASSED

Moderator declared Article #2022-12 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-12. The motion was seconded by Kay Galloway, 26 Aspen Rd.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-12.

PASSED

Restriction of reconsideration is adopted.

Article #2022-13 Fire Department Equipment Upgrade

Shall the Town vote to raise and appropriate the sum of Twenty-six Thousand Three Hundred Ninety-two Dollars (\$26,392) to be used to update equipment which is currently beyond its service life or is not effective with current buildings and emergency response within the Town of Atkinson. This is a non-lapsing article per RSA 32:7, and will not lapse until the project is complete or until December 31, 2027, whichever is sooner. This is in addition to Article #2022-06, the Operating Budget.

**Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 4 to 2**

The Moderator asked if there is any discussion. There was none.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-13 as written:

MOTION PASSED

Moderator declared Article #2022-13 moves to the ballot as written.

Selectman Worden moves to restrict reconsideration of Article #2022-13.
The motion was seconded by Selectman Bill Friel

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-13.

PASSED

Restriction of reconsideration is adopted.

Article #2022-14 Hazardous Materials District

Shall the Town vote to rejoin the Southeastern New Hampshire Hazardous Materials Mutual Aid District (SENHHMMAD), and to raise and appropriate the sum of Eleven Thousand Five Hundred Forty-Four Dollars (\$11,544) in 2022?** After 2023, the annual dues amount, as determined by the Board of Directors per the governing by-laws, will become part of the Fire Department's Operating Budget.

**The Southeastern New Hampshire Hazardous Materials Mutual Aid District operates a Technical Emergency Response Team, which maintains a readiness posture permitting it to deploy an appropriate response to a District community's request for help involving an unplanned release of potentially dangerous chemicals. The services provided by SENHHMMAD are not available from commercial environmental solutions companies such as Triumvirate Environmental or Clean Harbors. The Atkinson Fire Department does not have the capabilities in either technical training or equipment to handle this responsibility.

**Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 4 to 2**

Marnie Finn of 24 Snug Harbor, did not suggest an amendment, but wanted to understand how (will we) get the money in 2023?

Moderator Garrity was asked "what will the dues be next year?"

Marnie Finn asked if (the article) should mention the appropriation of 2023.

Moderator Garrity asked "Will have to be in the budget in 2023?"

Chief Murray responded that the intent was to indicate that there is two-year commitment to get back in. When we originally pulled out several years ago, the by-laws required paying up to three years back-dues. He was able to negotiate down to one year back-dues and the remaining back-dues spread over two years. That's why there's more money the first two years. Third year, it goes down by spreading the penalty over two years. After 2023, there's a flat rate of \$5500 for all communities and per capita rate after that.

Russell Wolf of Farview Hill Rd, suggested for next year's Operating Budget, possibly moving these dues to the Advertising and Regional budget line since it's considered dues (like other monies in that line item).

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-14 as written:

MOTION PASSED

Moderator declared Article #2022-14 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-14.
The motion was seconded by Selectman Bob Worden.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-14.

PASSED

Restriction of reconsideration is adopted.

Article #2022-15 Shim and Overlay Town Roads

Shall the Town vote to raise and appropriate the sum of Four Hundred Forty-eight Thousand Nine Hundred Dollars (\$448,900) to shim and overlay the following Town roads: Providence Hill Road, Butler Road, Twin Oaks Drive, Windmill Lane, Moccasin Path, Pheasant Lane, Bluebird Lane, Geary Lane, Spickett Valley Drive, Atkinson Farm Road, Little Rob Road, Carriage Chase Lane, and Jasmine Drive? This is a non-lapsing article per RSA 32:7, VI, and will not lapse until the project is complete or until December 31, 2027, whichever is sooner. This is in addition to Article #2022-06, the Operating Budget.

**Recommended by the Selectmen by a vote of 5 to 0
Not Recommended by the Budget Committee by a vote of 6 to 0**

Barbara Snicer of 10 Edmunds Circle asked before we get into this article, are we within the 10% rule? A brief discussion followed regarding the 10% rule.

Paul Busby of 5 Conley Road spoke in favor of this bill. (He said) he has a lot of experience in this field. The Town has done a great job historically maintaining and updating the roads. The Town Engineers provided a ten-year plan and it's good to follow up. I have reviewed this year's roads. If we don't do these roads, five of the ten on the list will be in disrepair if ignored. The Selectmen and the previous Road Agent have already signed on the contractor for this year. There was a \$25,000 financial benefit to the town by signing the contract last year. It will be beneficial in years to come to stick to the plan. He asked the Town to vote in favor of this Article.

A discussion between Chair Bill Smith of the Budget Committee and the previous Road Agent, Ted Stewart, and Peter Torosian a member of the Budget Committee followed regarding a time in Atkinson's recent history about skipping a year of paving roads.

There was a request from the floor to call the question to vote. Motion passed.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-15 as written:

MOTION PASSED

Moderator declared Article #2022-15 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-15.
The motion was seconded by Selectman Beth Cacciotti.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-15.

PASSED

Restriction of reconsideration is adopted.

Adjourned for lunch at 12:30 pm for 20 mins

Re-opened at 12:50 pm

Number correction presented to Moderator for the 2022-06 Budget Article. New budget number is \$5,860,973.00. Had been \$5,860,972.00 before rounding up.

Moderator shared announcement for the Atkinson Women's Civic Club. March 1st is Candidates' Night. Held at the Community Center at 7:00 pm.

Article #2022-16 Highway Department Truck

Shall the Town vote to raise and appropriate the sum of Fifty-five Thousand Dollars (\$55,000) for the purpose of purchasing and equipping a three-quarter-ton truck with a plow, and a utility trailer, such funds to come from the Undesignated Fund Balance? No additional tax dollars are required. This is a non-lapsing article per RSA 32:7 VI and will not lapse until the purchase is complete or December 31, 2027, whichever is sooner. This is in addition to Article #2022-06, the Operating Budget.

Recommended by the Selectmen by a vote of 5 to 0

Recommended by the Budget Committee by a vote of 6 to 0

The Moderator asked if there is any discussion. There was none.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-16 as written:

MOTION PASSED

Moderator declared Article #2022-16 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-16.

The motion was seconded by Selectman Beth Cacciotti.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-16.

PASSED

Restriction of reconsideration is adopted.

Article #2022-17 Update List of Town Forest Parcels

Shall the Town vote to designate the following parcel as Atkinson Town Forest, to be managed by the Conservation Commission, under the provisions of RSA 31:112:

Map 20 Lot 37-1, a 9-acre forested parcel on Boulder Cove Road, donated to the Town as Conservation Land December 2021? This parcel abuts the Marshall Town Forest.

Recommended by the Selectmen by a vote of 4 to 1

The Moderator recognized Paul Wainwright of Maple Ave and of the Conservation Commission.

In December of last year, the town was donated nine acres near Big Island Rd. which abuts Marshall Town Forest. It was donated as Conservation land. This article gives the Conservation Commission the ability to manage it.

The Moderator asked if there is any discussion. There was none.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-17 as written:

MOTION PASSED

Moderator declared Article #2022-17 moves to the ballot as written.

Article #2022-18 Building Needs Expendable Trust Fund

Shall the Town vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to be added to the Building Needs Expendable Trust Fund, as established March 9, 2020, Article #2020-8, for the purpose of funding ongoing maintenance and improvement issues with Town facilities, such funds to come from the Undesignated Fund Balance? No additional tax dollars are required. This is in addition to Article #2022-06, the Operating Budget.

Recommended by the Selectmen by a vote of 5 to 0

Recommended by the Budget Committee by a vote of 6 to 0

Brian Boyle, Building Inspector spoke. He said that this is a trust fund and there is currently a balance of \$35,000 in it. Last year, the Building Needs Committee identified \$500,000 in repairs throughout town buildings. The Town needs to increase the \$35,000 current total in the trust fund by another \$50,000 to move forward.

The Moderator asked if there is any discussion. There was none.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-18 as written:

MOTION PASSED

Moderator declared Article #2022-18 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-17 and #2022-18. The motion was seconded by Selectman Bob Worden.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-17 and #2022-18.

PASSED

Restriction of reconsideration for both adopted.

Article #2022-19 Elder Exemption Benefit

Shall the Town vote to increase the Elder Exemption benefit beginning April 1, 2022, as follows:

Age 65-74	From: \$100,000	To: \$150,000
Age 75-79	From: \$150,000	To: \$225,000
Age 80+	From: \$200,000	To: \$300,000?

This benefit is a fixed amount deducted from the assessed value of the applicant’s home. The fixed amount of this deduction has not been adjusted to the increasing value of property in the Town of Atkinson since March 9, 2004. In 2021, the town’s assessments have increased approximately 50%, diminishing the value of this benefit for seniors. This adjustment will add approximately \$21,630 to the amount to be raised by taxes.

Moderator Garrity recognized Barbara Snicer of 10 Edmunds Circle. The average assessment went up 50% and the tax rate went down 50%. The elderly must qualify for this benefit using a maximum income of \$35,000 and their maximum assets are \$100,000. This exemption benefit is strictly for those who meet qualifications.

Holly Patterson of 23 Pope Road suggested that the average voter won’t understand this Article as written. She made a motion for an amendment to be inserted “for those who meet all income and asset guidelines,” after “benefit” and before “beginning”. The motion was seconded by Sam Butler of 45 maple Ave.

Moderator Garrity read Article #2022-19 as amended.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-19 as amended:

AMENDED ARTICLE PASSED

Moderator declared Article #2022-19 moves to the ballot as amended.

The Moderator asked if there is any discussion on the amended article. There was none.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-19. The motion was seconded by Selectman Bob Worden.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-19.

PASSED

Restriction of reconsideration adopted.

Moderator Garrity educated the deliberative body on Citizen’s Petitions. Articles make their way to the ballot through the Selectboard or the Planning Board (in advance of Deliberative) or by citizens.

Article #2022-20 Elder Asset Limit (by Petition)

Shall the Town vote to raise the elderly single asset limit from One Hundred Thousand Dollars (\$100,000) to Three Hundred Thousand Dollars (\$300,000), and the elderly married asset limit from One Hundred Thousand Dollars (\$100,000) to Three Hundred Thousand Dollars (\$300,000), per RSA 72:39-AB?

Moderator heard no questions, concerns, or amendments.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-20 as written:

MOTION PASSED

Moderator declared Article #2022-20 moves to the ballot as written.

Article #2022-21 Veterans' Tax Credit (by Petition)

Shall the Town vote to increase the Veterans' credit from Five Hundred Dollars (\$500) annually to Seven Hundred Fifty Dollars (\$750) annually, per RSA 72:28-B?

Moderator asked if this is a credit against a tax bill. The answer was yes.

Sam Butler of 45 Maple Avenue asked "Does anyone know how many people would this effect and what the net tax impact would be? No one answered.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-21 as written:

MOTION PASSED

Moderator declared Article #2022-21 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Articles #2022-20 and #2022-21. The motion was seconded by Selectman Bob Worden.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-20 and #2022-21.

PASSED

Restriction of reconsideration adopted for both articles.

Article #2022-22 Isaiah 58 NH Funding (By Petition)

Shall the Town vote to raise and appropriate the sum of \$2,500.00 for the purpose of supporting the non-profit 501(c)3 Isaiah 58 NH in its continuing service to the citizens of Rockingham County and Atkinson in obtaining stable housing?

**Not Recommended by the Selectmen by a vote 4 to 1
Not Recommended by the Budget Committee by a vote 6 to 0**

Moderator Garrity recognized Ray Bonnin, the Exec Dir. of Isaiah 58 to the microphone. Mr. Bonnin explained the work of Isaiah 58. The program has been working for seven years with Rockingham County and Atkinson Residents. What makes (the program) effective is that we are nimble. They work with all other offices and social services agencies. Those agencies have limits, so they send folks to Isaiah 58. Seven units/properties that they own to provide to people in need. In Atkinson, not a lot of renters, but we work with the needs of the elderly. They can help elderly with rental income. Currently working with a veteran living in a tent in the woods. Isaiah 58 is part of a network not alone. We are a resource for Atkinson. We are transparent and accountable.

We can show you exactly where your money goes.

Kay Galloway of 56 Aspen Drive has donated since inception. Minimum of 40 families in Atkinson who receive food from local pantries. She encouraged a yes on this proposal.

Budget Committee Member, Wendy Barker of Aspen Drive explained the reason we didn't recommend this is because we have a process in place for these types of programs with application and documentation. Had Isaiah 58 gone through the process, they may have gotten into the budget. We don't go through warrant articles.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-22 as written:

MOTION PASSED

Moderator declared Article #2022-22 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-22
The motion was seconded by Selectman Bob Worden.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-22.

PASSED

Restriction of reconsideration adopted.

Article #2022-23 Elect Planning Board Members (By Petition)

Shall the Town vote to elect the members of the Planning Board? The Planning Board shall consist of seven (7) members per RSA 673:2,II,(b),(1). Two members shall be elected for three-year term, two members shall be elected for two-year term, two members shall be elected for one-year term. Thereafter, members shall be elected for the term provided in RSA 673:5,II.

Petitioner Ken Grant of Crown Hill Road spoke on his petition. He began stating he was thankful to the volunteers in this Town. Many towns around us have elected planning boards. It's a matter of communication and understanding. Locally we are allowed by the state to select our form of government. One of the critical issues in town is water and it is not being addressed. We need our State Reps to work on water. By electing members of the Planning Board, we can vet them before they are selected, and they must come before the people and express capability. This does not slight the current volunteers. This is about putting more efforts in to a particular direction.

Sue Coppeta of 5 Murray Drive provided data from the NH Office of Strategic Initiatives. 241 municipalities participated - 129 appointed and 112 elected. It's a split. In Rockingham County, it swings the other way - 40% appointed, 60% elected. Planning Board rules are the same whether elected or appointed. One major difference: when elected board, any openings or alternates are appointed by the Planning Board. Currently, when you have an appointed Planning Board, the BOS appoints all members.

Sue expressed concern about the way the article was written. It appears that it would be put the

entire Planning Board up for election at the next cycle. That is scary to have the opportunity to wipe out an entire board in one election time and it's illegal as per the RSA 673:5, II, says no more than three (3) members can be elected per year.

Sam Butler of 45 Maple Ave asked, "Why does it say seven members but only provisions for six elected?"

Ken Grant answered that the 7th seat is Ex-Officio from Board of Selectmen. Six members are elected.

Ken Grant: Didn't want to have a partially elected/partially appointed Board. Anyone who is currently on the Planning Board could run for office to keep continuity.

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-23 as written:

MOTION PASSED

Moderator declared Article #2022-23 moves to the ballot as written.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-23
The motion was seconded by Selectman Bob Worden.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-23.

PASSED

Restriction of reconsideration adopted.

Article #2022-24 Adopt Partisan Official Ballot System (By Petition)

Shall the Town vote to adopt the partisan official ballot system? RSA Chapter 669, Section 669:12, This article shall apply to all Officers who shall be elected by official ballot, section 669:15 and all Officers the Town has specified to be elected by ballot. Section 669:17.

Petitioner Ken Grant of Crown Hill Road provided an explanation of his petition stating that it has become obvious that there is a lot of partisanship in the elections. Also, need improvement in the selection of our candidates. Due to lack of communication (newspapers), candidates can't communicate well. It's not done anywhere in the state. The vetting process would be more thorough through a vetting body. Hopefully improve openness, system of local government, communication. Nominating process would allow more thorough vetting body. The major parties (Rep/Dem) would nominate from caucus. Encourage other people to come forward and run because of responsibility within parties to bring people forward to represent their interests. (This is an) Attempt to make an improvement in overall government.

Moderator question: How do those who are Undeclared run?

Ken Grant said they'd join a party. The Undeclared would go to a party and the party could nominate the undeclared.

Barbara Snicer of 10 Edmund Circle stated "I don't understand this at all. The country has been divided along party lines and getting worse. The good part about Atkinson is that anyone can run for office. This will only further divide. It seems to be the antithesis of what we're here for."

Michael Boucher of 19 North Broadway would like to clarify. He didn't understand why it's needed. There are other parties and what if someone decides to create another party? Is there a cost? Most of Atkinson is undecided. Every elected position is non-partisan. Does that mean the whole town would have to become partisan?

Kate Delfino of 13 Wood Drive, Atkinson split 1/3 Rep, 1/3 Dem, and 1/3 Und. Could effectively disenfranchise anyone that is not a member or an active member of a political party. Terrible precedent to set. What (she) loves most at Town Elections is her love to vote without an R or a D next to the names. She believes this would discourage involvement and add to bipartisanship.

Peter Torosian stated if adopted, would it preclude those running as an Undeclared in a State Election?

Moderator Garrity said there are two ways to get on the ballot. 1) If you're a party member, the parties that in previous governor's race have gained more than 3% of the vote. You'd go to Caucus and vote for the nominee. 2) If you're not in a party, you can get 50 signatures to get your name on the ballot as an Undeclared. No towns in NH are currently on this system.

Sam Butler of Maple Ave recommended an amendment and maybe change wording to educate voters.

Leon Artus of Maple Ave state that he's undeclared, but during the Primary, he can pick a party ballot and then vote and then switch back. Won't it work like that?

Moderator Garrity said "No.". You need to be a registered party to attend a party caucus.

Holly Patterson of 23 Pope Road said the partisanship should be Atkinson. Political parties should be inconsequential. Can we eliminate this article? Can we amend to "Not" adopt the article?

Moderator clarified that you cannot eliminate the article. Must keep the subject matter the same but can amend it any way you want. You can't amend with a "NOT" to adopt. It nullifies the votes.

Michael Boucher, 19 North Broadway asked "Can we add an amendment to make it non-binding? Moderator Garrity answered "No".

David Holigan of 13 Chase Island, can I make an amendment that essentially includes the language of the RSA spelled out at the end of the current Article.

Moderator said that's possible.

Debra DeSimone of Providence Hill said, "I'd like to move the question.".

Moderator Garrity said he would move the question after the amendment is submitted.

Sam Butler of Maple Ave. made a motion to amend the article by adding in the words "to create a study group" between the words "vote" and "to adopt". Moderator Garrity clarified the amendment as:

“Should the town vote **to study whether** to adopt...” the rest stays the same.
The motion was seconded by Holly Patterson of Pope Rd.

Ken Grant said, “Point of Order.”. I would see the amendment as an attempt to cancel the intent of the petition. It’s not making a substantial change; it’s cancelling the premise of the article. It’s a legislative technique but not appropriate for this forum.

Moderator Garrity explained that the subject matter stays the same. RSA clearly states that Warrant Articles can be amended if it doesn’t change the subject matter. This is studying whether to adopt the bipartisan ballot system. You can change the intent, but not the subject. This is a legit amendment.

Leon Artus spoke that, 4 years ago, the legislature made it clear that you can’t change the intent.

Moderator Garrity responded that he recalled that case and it’s clear it only protects the subject matter not the intent. The RSA protects the subject matter not the intent. The verb can be amended.

Bill Smith asked: Couldn’t “Creating” or “implementing” be the subject?

The Moderator stated again that this is a legitimate amendment. Partisan Official Ballot System is the subject. However, the Moderator can be challenged and overrule my ruling.

Ken Grant challenged the Moderator’s ruling.

Moderator Garrity moved the vote to the floor: Those in favor of the Moderator’s ruling that this is a legitimate amendment, raise your pink cards.

MOTION TO OVERRULE FAILED

Moderator’s ruling is upheld.

Back to the amendment. Are we ready for the question?

Debra Desimone of 11 Providence Hill Road asked “Shouldn’t we add who/where/when/” regarding the study?

Moderator said only if there’s an amendment offered to that effect after we vote on this amendment.

Moderator Garrity read Article #2022-24 as amended: **Shall the Town vote to study whether to adopt the partisan official ballot system?**

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-24 as amended:

AMENDED ARTICLE PASSED

Moderator declared Article #2022-24 moves to the ballot as amended.

Moderator Garrity then stated that since this is passed, unofficially, as the Moderator, he offered that he would be willing to create the study committee consisting of two Democrats, two Republicans, and two Undeclareds, the Town Clerk, and the Moderator. The study would show the pros and cons of the Partisan Official Ballot System and publish the findings by August 1, 2022.

Barbara Brown of 7 Island Pond Road said she was disappointed to see this on the ballot. Making more split within our own community. We don't need more separation.

Moderator Garrity read Article #2022-24 as amended: Shall the Town vote to study to adopt the partisan official ballot system?

Moderator Garrity moved the vote to the floor by a show of hands to approve ARTICLE #2022-24 as amended:

AMENDED ARTICLE PASSED

Moderator declared Article #2022-24 moves to the ballot as amended.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-24
The motion was seconded by Selectman Bill Friel.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-24.

PASSED

Restriction of reconsideration adopted.

Article #2022-25 Conflict of Interest Legal Line (By Petition)

Conflict of Interest Committee Legal line 41305.390.00 Pro/Tech Services

Shall the Town vote to raise and appropriate a sum equal to the amount appropriated for the Police Dept. legal line 42101.320.00 for the purpose of allowing the committee to access legal advice when necessary for investigations? When passed it will become part of the annual budget. This is in addition to Article #2022-6, the Operating Budget.

Not Recommended by the Selectmen by a vote 5 to 0

Not Recommended by the Budget Committee by a vote of 3 to 0

Petitioner Leon Artus of Maple Ave. gave an example of what COI Committee does. Since all complaints are against the employees and public officials, sometimes legal questions need to be answered. He gave an example of an investigation. Can you imagine getting legal advice with \$1.00? This petition asks the people to put the COI committee on same ground as other departments. Using the Town's attorney is a conflict of interest. This money will allow us to hire their own attorney separate from the town. It would put more teeth in our ordinance.

Chair of COI Chris Duerr of Maple Ave approached the mic and explained that her Good Neighbor explained his petitioned article using the word "We". She went on to explain the facts that the COI Committee was not involved in any phase of the development of this Warrant, were not made aware of it, did not participate in the writing of the Article or the obtainment of signatures. The Chair was made aware of the Article by a resident. One of the signers on the petition, when

approached to sign, asked (Mr. Artus) if the Chair of the Committee was aware of the Petition. He responded “Yes”. Ms. Duerr then submitted an amendment to the Moderator:

Strike “a sum equal to the amount appropriated for the Police Dept. legal line 42101.320.00:” and replace it with:

Shall the Town vote to raise and appropriate Zero Dollars (\$0.00) for the purpose of allowing the Committee to access legal advice when necessary for investigation? This is in addition to Article #2022-6, the Operating Budget.

The motion was seconded by Selectman Bill Friel.

Chris Duerr explained that historically this Committee has not had money in the legal line. This would be an astronomical increase from \$0 to 117,000. The Committee has used the Town legal services and state services in the recent past with great success. She goes to the Post Office box at least twice a week. We currently have no cases pending.

Moderator Garrity re-read the amended Article. Also strike “Conflict of Interest Committee Legal line 41305.390.00 Pro/Tech Services”.

Leon Artus, Maple Ave, said he had been the Chair when the current Chair began on the Committee. He said that he and the current Chair went to the Selectmen meeting to request that they fund that legal line. She was a part of that meeting. For her to say she had no knowledge is incorrect. He said he has every right to go out and do a Citizen’s Petition Article even if I wasn’t on the Committee. He said he did nothing wrong. He then explained that he did not put anything in this Article that referred to a money amount. He referred to another account. Based on how it is written, you’d have to zero out the Police Department’s budget line to conform to the way it is written.

Moderator Garrity responded that that’s not correct. She has totally crossed out anything to do with the Police Department and just concentrated on the COI legal line.

Moderator Garrity and Mr. Artus discussed the subject matter vs intent. Moderator Garrity explained that it’s a legitimate amendment. Police Department is not the subject of the Warrant Article – the COI legal line is. She kept the intent the same, just changed the dollar amount and took out the Police.

Mr. Artus said he can’t believe the new Chair wants to weaken the Committee she’s serving on by amending this.

Ms. Deb DeSimone was recognized at the microphone. She asked if the “ethics committee”/ Conflict of Interest Committee is an advisory Committee who reports to the Selectmen, who, at that point, could seek legal information to make their final decision?

Ms. Duerr responded that the Committee does an investigation based on objective data, gather data by observations, interviews, and review of documentation. After that process, we give the objective data to BOS for review, and they are the ones to determine the punishment or further action.

Ms. DeSimone asked to move the question.

Moderator moved the vote to the floor to rule in favor of moving the question.
The vote passed. The Question has been called.

Mr. Artus then asked if he could read the whole COI since what Ms. Duerr said was completely incorrect. The Board of Selectmen have absolutely no control over the COI Committee.

Moderator Garrity moved the amendment to the floor for a vote by a show of hands.
AMENDED ARTICLE PASSED

Moderator declared Article #2020-25 moves to the ballot as amended.

The Moderator asked if there is any discussion on the amended article. There was none.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-25.
The motion was seconded by Selectman Bob Worden.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-25.

PASSED

Restriction of reconsideration is adopted.

Article #2022-26 Modify Conflict of Interest Ordinance (By Petition)

To eliminate the conflict between this ordinance and Statutory Law. The Statute that allows the establishment of Conflict of Interest ordinances (RSA31:39-a) clearly states that "The superior court shall have jurisdiction over any removal proceedings instituted under an ordinance adopted under this section.", in order to make the Town of Atkinson Conflict of Interest Ordinance compliant with this Statute.

Shall the Town of Atkinson make the following changes to the language of the Conflict of Interest Ordinance:

Section VII. F. AFTER "Findings shall include supporting arguments" STRIKE "to order removal of or" AND ADD AT THE END "In the case of a recommendation for removal, The Selectmen SHALL forward said recommendation to Rockingham Superior Court for adjudication.

Section VII. H. STRIKE "If the Selectmen determine, by a majority vote, that removal is warranted, the elected or appointed member" AND REPLACE WITH "If a recommendation for removal is made the respondent"

Section VII. ADD Letter "L." STATING "If the subject of the conflict of interest complaint is a member of the Board of Selectmen, the remaining board members must recuse themselves from sitting in judgement of any punishment, as doing so will result in a violation of this Ordinance, in this case a petition SHALL be made to Rockingham Superior Court to either adjudicate the recommended punishment, or to appoint at least three former selectmen for this purpose."?

Petitioner Leon Artus of Maple Ave spoke again that the BOS have no control over the Conflict of Interest Committee. He then shared an example of how the BOS handled the punishment of a case in the past and exonerated the individual. In what is written, “the committee” has the right to bring a case to Superior Court. Frankly, many of the complaints in the past have been about a Selectman. Of course, they wouldn’t recommend this because it makes them accountable. This article needs to go to the ballot as written or else it appears that this Committee has been taken over.

Moderator recognized the current Chair of the COI Committee, Christine Duerr. She explained Section E of the current Ordinance. She then submitted an amendment of the article as follows:

Shall the Town vote to amend the Conflict of Interest Ordinance with the following language:

Strike Section VII. F. and H. in their entirety, and include the following language to replace F:

Findings related to the **CENSURE** of an appointed or elected member shall be forwarded to the respondent and Board of Selectmen. Findings shall include supporting evidence. Findings related to the **REMOVAL** of an appointed or elected member shall be forwarded to the respondent and Board of Selectmen with supporting evidence for referral to the Rockingham Superior Court. The Rockingham Superior Court shall have jurisdiction over any removal proceedings instituted under an Ordinance adopted under this section as per RSA 31:39-a.

This proposed language change will include re-lettering point I as H; point J as I; and point K as J.

The motion was seconded by Deb Desimone, Providence Hill Rd.

Ms. Duerr said she spent a great deal of time reviewing RSA 31:39-a. The heart of this RSA is the Superior Court shall have jurisdiction over any removal proceedings instituted under an ordinance adopted under this section. The true aim of this RSA is to make sure that any individual of the community cannot proceed with any censorship or removal with bias and/or prejudice. So, it takes it away from both the COI Committee and BOS so it can be done fairly and judiciously.

Moderator said that this amendment will replace the entire article with this article, and he re-read the amended article.

Sam Butler of Maple Ave asked to clarify what will happen to the proposed addition of Sect. VII, L. that is in the Petitioner’s original Article?

Ms. Duerr said the entire Article will be replaced with the amended version to make it simpler and clearer.

Moderator Garrity moved the amendment to the floor for a vote by a show of hands.

AMENDED ARTICLE PASSED

Moderator declared Article #2020-26 moves to the ballot as amended.

The Moderator asked if there is any discussion on the amended article. There was none.

Board Chair Greg Spero moves to restrict reconsideration of Article #2022-26.
The motion was seconded by Selectman Beth Cacciotti.

Moderator Garrity moved the vote to the floor by a show of hands to restrict reconsideration of Article #2022-26.

PASSED

Restriction of reconsideration is adopted.

Moderator Garrity asked Chair Spero if he had anything he'd like to say before adjourning. Mr. Spero recognized this is Selectmen Friel's last Deliberative Session. He served as a Selectmen for 13 years, and 6 years as a State Representative. Would like to give him a round of applause and thank him for his service.

Selectmen Friel said it's been an honor and pleasure serving this town and appreciate all your support all these years. Thank you.

Article #2022-27 Acceptance of Reports

Shall the Town accept the reports of agents, auditors and committees as written in the 2021 Annual Report?

Recommended by the Selectmen by a vote of 5 to 0

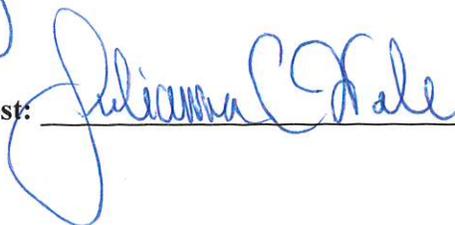
Moderator Garrity moved the vote to the floor by a show of hands to move this article to the ballot as written.

PASSED

Moderator declared Article #2020-27 moves to the ballot as written.

He announced that the 2022 Deliberative Session was dissolved at 2:25 PM.

A True Record, Attest:  Town Clerk

A True Copy of Record, Attest:  Town Clerk

**SLATE FOR 2022
ATKINSON TOWN ELECTION**

SELECTMEN

(2) 3-Year Terms Open - Candidates Running:

Dave Spero
William M. Baldwin
Harold J. Morse
Holly Patterson

BUDGET COMMITTEE

(2) 3-Year Terms Open- Candidates Running:

William "Bill" Smith
Sam Butler
Deborah Cornish
Dave Paquette

MODERATOR

(1) 2-Year Term Open – Candidate Running:

James M. Garrity

TREASURER

(1) 3-Year Term Open – Candidate Running:

Michael C. Turell

SUPERVISOR OF THE CHECKLIST

(1) 6-Year Term Open - Candidate Running:

Karen Trasatti

CEMETERY TRUSTEE

(1) 3-Year Term Open - Candidates Running:

Kathleen Dayotis

TRUSTEE OF THE TRUST FUND

(1) 3-Year Term Open - Candidates Running:

Dave Paquette

LIBRARY TRUSTEE

(2) 3-Year Terms Open - Candidates Running for 3-Year Term:

Richard Geisser

Jill Ottow

(1) 2-Year Term Open - Candidates Running for 2-Year Term:

Tom Kelley

CONFLICT OF INTEREST COMMITTEE

(2) 3-Year Term Open - Candidates Running for 3-Year Term:

Michele Hooper

Leon Artus

Raymond Fournier

Kay Galloway