

BARRINGTON NH SELECTMEN'S MINUTES  
July 9, 2012

The Selectmen's meeting for Monday, July 9, 2012 started at 6:30 p.m. at the ECLC, 77 Ramsdell Lane.

Present were Chairman Clark, Selectman Malloy, Selectman Pratt, Selectman Hatch, Selectman Gaudiello, and Town Administrator John Scruton. Absent Selectman Malloy

Chairman Clark welcomed everyone and led in the Pledge of Allegiance.

Department Head Reports:

Kim Kerekes, Town Clerk updated the Board about having achieved her goals. She noted the convenience of the new website and talked about using the Town Common newsletter. By July 1, she had done 150 online payments, mostly vehicle registrations. The Town Clerk budget is at 45% expended and on track. There are two elections left and she believes that budget is doing well. The \$5 transportation fee instituted in May has generated \$10,800. In answer to Selectman Gaudiello's question Kim noted the changes in election identification were planned for 2013 so won't effect this election. When it starts there will be additional costs for elections and probably additional workers. Chairman Clark thanked her for the written report. He asked if her group had the needed hardware, software, and skillsets. She replied she saw future needs in going to credit cards and a one-check system, which would be the next step.

Police Chief Conway reported the new car went on-line Saturday and should have Barrington printed on it soon. This is an all-wheel drive car. The budget is on-target. Overtime is slightly up, but we have been filling less shifts because of earned time. The goals were part of a five year plan so many are still outstanding. Of the 8 vehicles, many are over 100,000 miles. Chairman asked about the fact the department operates below the average national manning level. He indicates it is because he hires many experienced officers who can do the job themselves. His force handles more calls per person than other departments in the area. Selectman Pratt asked about his comment on increasing staffing. Chief Conway indicated it will depend upon what is decided about earned time. If he loses the ability to purchase earned time, he loses the equivalent of one full-time person. On top of that he needs another person whom he planned to try to add next July. He indicated we can only bring people on at a certain pace, not too rapidly. He talked about grant supported positions.

Finance Director Carolyn Berryment reported the budget for financial administration is on track. Her biggest goal was the audit for 2010 and 2011. 2010 is done and most of the work on 2011 is also done. The Management Discussion & Analysis for 2011 is being worked upon and should be ready to go with the financial statements soon. The deputy finance director and she have gone to a number of courses to keep their skills up to date including NH Department of Labor and Local Government Center workshops. Buyout of earned time remains a budget concern. Assessing and property evaluation are both areas of concern for expenditure. Health Insurance rates were below budgeted rates with only a 2% average increase instead of 8%. Revenue collection is running behind with 63% uncollected. A lot of revenue arrives late in the year, but year-to-year we are also behind. Sale of town property is higher than projected from highway equipment sales. Collections are about 15% behind last year at this time. Welfare expenditures are well below budget because of careful management following the guidelines. Selectman Gaudiello asked about the audit, which is over-expenditure. Carolyn will check on the number. Chairman Clark asked about the assessing and revaluation line. Carolyn discussed the \$2,000

expenditure for conservation easement monitoring as a timing issue. The bill from last year did not get to the Finance Department until February of this year so the 2011 bill came out of 2012's budget.

Road Agent Peter Cook reported most of the highway department goals are long-term infrastructure improvements. The department is about 75% done preparing for pavement projects for this year. The paving should begin the end of July or first of August. The department has done some ditch work for next year's road paving projects. The Budget is in-line with expectations. Training and hardware lines are over budgeted percentages. Everything is on schedule and going well. Chairman Clark mentioned the good job done on Young Road. Peter mentioned he should save on sand expense this year because of the amount left. Selectman Pratt asked about the building. Peter mentioned he would like to ask for money for a capital reserve with the first year being used for plans to build one. He believes the Green Hill Bridge needs a capital reserve for future costs also. He will put information out for the paving projects so people will know. The transfer station has lower tonnage numbers, but the busiest months are coming up July to September. He expects to be under budget. There are numbers of new procedures DES wants, some of which have a cost. Paid staff is licensed, although both the superintendent and Road Agent are working on higher certifications. He noted they may have to lock all gates because of people misusing the site. He discussed the dam with NHDES. The biggest issue is tree cutting on private land to help the dam. The applications and questions on inspections are being answered, but the trees they want removed are not on town land. He met with the property owners. One is ok with the cutting, while the other one had some trees he did not want removed. Peter will plan to do the work when the ground is frozen. The deficiency letter came around May.

Selectman Hatch moved to accept the minutes of June 25, 2012. Seconded by Selectman Pratt. Passed 4-0.

#### **Public Comments:**

Randall Heller 113 Tolend Road said he is concerned that his mailbox has been destroyed in the past. He was told he would be reimbursed but was not. The plow truck driver was apologetic but said there was no recourse for compensation. Town Offices confirmed that. It was \$65 to replace it. He asks to set aside a fund to reimburse people for damage by plow services.

Diane Senecal 19 Kelly Lane indicated concern with the plans for Turbocam's expansion on the Clark Goodwill site. She is home frequently as is a neighbor. She is concerned with the construction noise and then the industry land. She does not want an industrial park. She is concerned with dredging and filling of wetlands and that impact on wells. She believes it will depreciate the value of her home. She did not want to live with the construction noise for seven years. She felt a zoning article on noise applied to this situation. She saw trees removed including one with a Golden Eagle nest.

Alan Kelly, France Road raised questions on the appointments to the Planning Board June 24. He questioned the procedure as he felt the motion to appoint Steven Jeffrey May 7 was tabled and should have come up for a vote to remove from the table before other action was taken. He asked for the tape of May 7 to be reviewed to see if the motion was tabled and then the legal implications that it was not removed from the table and dealt with before a vote to appoint someone else to the Planning Board. He is also concerned with some legal opinions from our Town Counsel.

#### **Town Administrator Report:**

**Legion Abatement Request:** The town administrator reported that we compared the Legion card with two other properties that are similar. Both are off long right of ways that would require some distance of road to be constructed to reach them. Both had similar values except for a 50% value instead of 65% value for condition. I believe the Board could defend a reduction to \$44,250 based upon changing the condition to 50%. As an alternative, I also believe the Board could base its decision on the fact the Legion can't sell the land for any other purpose and can't use it now based upon the fact the town has right of first refusal at \$1. Based on this logic I recommend we use the back-land value of \$2,000/acre for the entire lot. I would only recommend reducing it to \$10,000 with the explanation it was done for the reason the Town has right of first refusal reducing its resale value; supporting the back land value we figure all land in Barrington as a minimum; and conditional upon the Legion signing a settlement agreement that they accept this valuation and will not appeal it, which I understand they have agreed to do.

Selectman Pratt moved to accept the recommendation for \$10,000 and the conditions. Selectman Hatch seconded the motion. Passed 4-0.

**Hearthside:** The Town administrator reported that Jim Powers reported: He has come to terms with the property owner at the top of the hill where the road joins US Route 202. He has a plan that he reports will be approved by NHDOT to reconfigure the turning lane. His plan is for the following:

- o He will design the changes and submit to NHDOT for approval
- o Once he obtains NHDOT approval, he will come before the BOS for a contingent approval on road acceptance
- o He will complete the improvements on site
- o NHDOT will approve the work
- o Town will accept the work

He wasn't sure on schedule, but thought he could have the design/DOT approval in 4-6 weeks

He wants some kind of assurance that the Board won't keep moving the goal line so that he spends the money and still has to maintain the road another winter.

The Board wanted to see the plan before making a decision.

**Amending Purchase and Sales agreement with Turbocam:** The Town Administrator reported there was a title issue because of a strip along Route 9 that the school gave to the Town before the Town received the rest of the parcel which may not have been included in the planned transfer. The Town Administrator asked if the Board was willing to authorize amending the Purchase and Sales Agreement to grant title to that portion on Lot 3 with the Town retaining an easement for the purpose of widening Route 9.

A question was raised as to whether it may have been transferred to the NHDOT already. The Board would like to see the strip and have more details which the Town Administrator agreed to obtain.

**Taxed parcel that cannot be located:** The town has been taxing a parcel on which it does not have a location on a tax map from several decades ago. Taxes were paid for many years, but upon the death of the owner it transferred by will to a church in Dover. The church wants us to show where it is. Our mapping company suggests the burden be upon the current owner to get a surveyor. The Town

Administrator indicated the town staff does not even know if the lot exists. What action does the Board wish to take? Board took no action.

**Earned time:** The total earned time on the books for 50 employees as of June 30, 2012 is \$163,998.51 and the weekly accrual rate is \$4,210.36 (annual rate \$218,938.83). The amount purchased in 2012 so far this year is \$ 41,982.79. Just over half (27 employees) bought out sick time, with eight employees purchasing more than \$2,500 each. The total currently in the sick bank is \$74,921.51 and while the hours will not increase as wages increase this total will increase. The town will not have to pay the full amount out to some of the employees in this total as those with between 10 and 15 years get 50% and between 15 and 20 years get 75%.

There was discussion on the long-term policy as well as the temporary fix/transition for this year by numerous employees. There was also discussion on the way that different departments are impacted. There was discussion about year-end savings and also the philosophy of earned time. Selectman Pratt noted there is concern there not be a "run" against earned time. He noted we may have to start budgeting more or change how it is earned and accumulated. Selectman Gaudiello talked about 2 parameters, how much could be bought and how low a person could buy-down their total. The other issue is the accrual rate. Chief Conway indicated earned time was a consolidation of sick and vacation for most departments. For two departments, there is a different rate to cover holidays which must be worked in Public Safety. The Police Department used to budget independently for holidays and pay for them. A lot of the earned time bought in the police department covers holidays. Also he noted that Short Term Disability will not cover the illness of a family member. Selectman Gaudiello noted there is a need for leave time to cover things like sickness. She noted when most employers combine vacation and sick, the total granted is usually less total than the two were when added separately. She believed eared time was appropriate for Public Safety. Chief Conway noted swapping time and buying earned time out is better for his budget since it is not at time and a half overtime. He believes it is cheaper to buy it than have staff use their earned time. Selectman Gaudiello asked what percentage people use. Chief Conway said all use some. One took as many as 200 hours last year, some of which had been earned in a prior year. He suggested the town buying all holidays and changing the accrual rate. He also suggested letting people buy a maximum number of hours for the year. Selectman Gaudiello asked allowing people to buy up to 50% of earned time. Chief Conway indicated he encourages people to have a minimum but there are no restrictions to cashing out. He noted the 50% limit would give a number to be budgeted for the maximum exposure. There used to be a limit of 88 hours below which a person could not buy. Chief noted there is a problem with the bottom limit and it should be an individual's choice. Selectman Gaudiello indicated people could go below the limit taking vacations, but not to buy down below that limit. She suggested with an upper limit we could let this year be a transition year. She mentioned we might want a three year transition to a lower limit. Rick Walker wants to know the policy for next year for what the policy will be to budget. It could mean he needs to budget more time for replacement. He would also like to have the holidays bought out instead of earned time. When asked, Peter Cook shared his thoughts about earned time and sick bank problems. He thought the Town should buy out the entire sick bank now; let the earned time limit go to 480 limit; keep accrual rates the same; and maintain the amount you buy at the end of your career at 320. Chief Walker defended keeping the sick bank in case of a major accident like he had. John Scruton mentioned the sick bank could be converted to dollars instead of hours which addresses the issue Selectman Gaudiello raised of sick bank value increasing as a result of hourly wages going up. There was discussion on the sick bank accounting.

The Board asked the Town Administrator to draft a policy which would cover the following points:

1. Limit earned time buy out to one half of accrual annually
2. Prohibit employees buying down earned time below 2 weeks although people could use below that 2 week limit.
3. Limit buyout to four times a year
4. Start paying out holidays in Public Safety and change their accrual rates to the same as the rest of employees.
5. Develop a plan for people to plan for and budget buying out the sick bank over a period of time with advance notice.

The Board recognized the need to deal in the future with how to handle those who exceed the limit in the future and discuss further the accrual rate.

The Board asked John Scruton to come up with numbers as well as the draft for the above items.

Selectman Gaudiello moved, Selectman Pratt, seconded to keep the freeze in place while this draft policy is developed. Passed 4-0.

**Salary:** The Town Administrator brought up the issue of budgeting for 2013 salaries. He suggested a step for everyone entitled to a step (provided there is good performance) and a 1% COLA. The totals are below. If the raise came April 1, then the total would be \$45,984 for both (2.44%). All of these are without the roll-up cost (SS, Retirement, Workers Comp, Medicare and Overtime) which varies by department.

	Current			Step		Step + 1% COLA
<b>Summary</b>	<b>1,881,765</b>			<b>1,926,415</b>		<b>1,943,076</b>
		<b>Change</b>				
		<b>Dollar</b>	<b>Percent</b>	<b>Dollar</b>	<b>Percent</b>	
		<b>44,650</b>	<b>2.373%</b>	<b>61,311</b>	<b>3.258%</b>	

These numbers represented using current hours and staffing level. He also mentioned that at this time he sees the need to consider two new part-time positions. The Highway Department and Recreation Departments both need additional secretarial (Administrative Assistant) support. This would help free up the professional staff to focus more time on delivery of services.

There was discussion regarding what the actual Consumer Price Index rate of change. The Board wanted the Town Administrator to get more information on it.

The consensus was to build in the step increases into the 2013 budget but delay any decision about the Cost of Living Adjustment.

The Town Administrator, in answer to a question at a prior meeting reported Tom Abbott was appointed by the State to be the Health Officer.

The Town Administrator, in answer to a question from a prior meeting reported that the attorney at LGC indicates that while the terms of alternates are three years, it is possible to have balances less than three years left on staggered terms. In that case what we had were three alternate vacancies, one with

one year left on a three year term, one for two years left on a three year term and one for three years. Appointing Steve Jeffries to three years leaves two terms, one with a balance of just under one year left and one with a balance of just under two years left.

**Driveway Escrows:** The Town Administrator brought up driveway escrows. He recommended a couple of amendments to the driveway ordinance based upon comments by Peter Royce and Tom Abbott. The lots recently subdivided should all have a paved apron, but there are a lot of pre-existing lots out there which the Board addressed with the deposit or pavement rule. The unintended consequence is everyone is putting up the money, even in summer when they could pave, to avoid paving the apron until the end of the construction. This defeats one of the purposes of a paved apron which is protection of the existing road. At Tom Abbott's suggestion he contacted Jeff Adler to come up with a construction driveway standard which must be installed before any permit is given. This would be heavy rock to help protect the road and catch some of the mud before it is tracked off the site. Then before an occupancy permit, the requirement would be bond or pave. This would also include an inspection of the pavement for those paved before construction started to be sure it still meets standards and if not, it would need to be repaved.

After discussion the Board indicated it would like to see a revised draft of the policy with these changes included and to bring them to the Board for a future meeting.

**Signature Items:**

The Town Administrator presented the following which the Board approved and signed:

- Abatement #25 American Legion
- Supplemental Intent to Cut for Randy Warren
- Land Use Change Tax for \$21,048
- Payroll Manifests July 1, 2012 and two for June 24, 2012
- Vendor Manifests June 28, 2012 and July 5, 2012

**Selectman Reports:**

Selectman Gaudiello reported on a lively Library Trustee meeting, especially on earned time. One of the alternate members is moving and resigning. The summer reading program is going well. An Abe Lincoln actor will be at the Library Wednesday, July 11. The author of the popular book Following Aticus will be here August 15 at the Barrington Evangelical Free Church.

Selectman Hatch reported both the School Board and Planning Board did not meet.

Selectman Pratt reported the Building Committee is awaiting engineering reports.

Chairman Clark read a letter of praise to Tom Abbott from Bob Ott.

Selectman Pratt moved and Selectman Hatch seconded to adjourn. Passed 5-0 vote.

Meeting adjourned at 9:15 p.m.

Respectfully submitted, John Scruton, Town Administrator