

SELECTMEN'S MINUTES NOVEMBER 4, 2013

The Selectmen's meeting for Monday, November 4, 2013 started at 6:30 p.m. Present were Selectman Bussiere, Selectman Gaudiello, Selectman Hatch, Selectman Malloy, Chairman Clark, Administrator Scruton and Clerk McNeil.

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

Chairman Clark opened the public hearing for the purpose of considering amending all existing pole licenses to include language regarding taxation pursuant to RSA 72:23 at 6:55 p.m. Administrator Scruton, defending our assessment on Fairpoint, recommended that we amend all pole licenses to accurately reflect the town's ownership of the Right of Way and the fact that the poles are licensed subject to the tax language in the law. Selectman Hatch asked when poles are replaced and the old ones aren't taken down are both poles going to be taxed. It was also noted that the poles should sit further off of the right of way. Chairman Clark asked if there was any public comment. Ken Grant stated that the town is essentially taxing a business and that business will in turn pass on the expense to their customers. Selectman Bussiere moved to "declare that all outstanding pole licenses issued by or under the authority of the Selectmen of Barrington or its predecessors in office acting under the provisions of RSA 231:161 (b), or its predecessor statutes, are hereby changed to incorporate in each such pole license in effect as of November 5, 2013 and effective as of such date, the following changes by inserting therein the following language: "In accordance with the requirement of RSA 72:23, I(b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

In accordance with the requirements of RSA 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.

The amendment to all pole licenses set forth in the preceding two paragraphs shall take effect on November 5, 2013, and shall remain in effect until changed in accordance with the provisions of RSA 231:163."

Furthermore that all new licenses shall contain the following language: New Licenses. All new pole licenses issued on or after the effective date of the above amendment, or subsequent amendments of existing pole licenses, should contain the following language:

“In accordance with the requirement of RSA 72:23, I (b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

In accordance with the requirements of RSA 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.”

The motion was seconded by Selectman Hatch. It was unanimously voted in the affirmative.

Chairman Clark opened the second public hearing on the personnel plan with currently combined safety manual at 7:05 p.m. The New Hampshire Labor Department recommended that the current combined Personnel Policy and Safety Plan be split into two documents. Chairman Clark asked for public comment. There was no public comment. Selectman Bussiere moved to immediately split the two documents, seconded by Selectman Hatch. It was unanimously voted in the affirmative. The public hearing closed at 7:08 p.m.

APPOINTMENTS

Conservation Commission Appointments – Selectman Gaudiello moved to approve the following three appointments to the Conservation Commission as alternates: Marika Wilde until March, 2015, Julia Guimond and Alison Desmarais until March, 2016 seconded by Selectman Hatch. It was unanimously voted in the affirmative.

PUBLIC COMMENTS

Jason Hill from TF Moran was present asking the Board to sign the NHDOT application for Route 125/Green Hill Road improvements for the proposed gravel operation. Mr. Hill explained that he has been working with Trinity Conservation and the Conservation Commission and this will include minor widening of the radius of the intersection. This

work will be done before an operational permit is obtained. Selectman Hatch moved to sign the application and hold the application until an indemnification agreement is in place with the owners of the pit, seconded by Selectman Bussiere. It was unanimously voted in the affirmative.

Bob Ott noted that he hasn't been able to meet to see the old town hall with his architect. He has met with a lot of people and does not want to see a combined article for the library and town hall. People have been very unhappy with the possibility of spending \$500,000 at the Christmas Dove property. He noted what he wanted to see done with the old town office and we can do it with what the taxpayers can afford.

Ken Grant asked about the change in the compensation level for the finance director. Did the increase in compensation take place or is it happening in the upcoming year? Administrator Scruton felt that he was talking about the tax collector position. The 2014 budget for that position was adjusted as it was out of line with other department head salaries. That change will take place next year. Mr. Grant agrees with Bob Ott about the situation of the old town office. He asked if there were any existing lawsuits against the town by people who were affected by working in the old town office. There were some claims reported to our workers compensation carrier. He is upset that the building was vacated and that the original issue was not a valid issue. Administrator Scruton explained work in three areas would be required before one could move into the old town office – 1. Accessibility to comply with ADA as the town lost any grand fathering when moved out, 2. Current energy standards 3. Quality of air.

REVIEW OF MINUTES – October 28, 2013 – Selectman Hatch moved to accept the minutes as written, seconded by Selectman Malloy. It was unanimously voted in the affirmative.

BUDGETS

Planning – Marcia Gasses presented this budget. There is no increase in this budget. Several 2013 lines have yet to be billed. A list of the planning board cases was noted in a memo. Ms. Gasses reported that none of the buyout money was spent. Money out of easement monitoring will be billed later in the year. Selectman Gaudiello asked what is in the contracts line – Registry of Deed costs, engineering costs that are not charged to an applicant. Selectman Gaudiello asked for a history of that line. Selectman Hatch asked about the postage line. It was noted that it is an in and out line as the applicant is charged for postage. The same is true with the advertising line.

Code Enforcement – Tom Abbott presented this budget. Reports were submitted for building permits and code enforcement issues. There is no increase in this budget. The number of permits has significantly increased over last year. It was noted that there have been a lot of changes in that department in the last year. A lot of the expenditures are made at the end of the year. Mr. Abbott explained how the part-time positions are working and how they work together.

Town Clerk/Election – Kim Kerekes and Stan Swier presented these budgets. The increase in the Election budget is due to several elections in 2014. There was discussion of the buyout line in the town clerk's budget. With a year's history in the various buyout lines, the Board can review the numbers for next years budget and make any reductions at the Deliberative Session. Town clerk revenue has increased steadily over the past three years. The town clerk explained that we would need new ballot machines in the next ew years costing nearly \$10,000 each.

Recreation Dept. – This budget was presented by Tara Barker, Lisa Allis and Jill Hilfiker. There was a correction in software security to \$3,684. Under the part-time hourly wage line there is an increase due to additional hours and the job being budgeted for 52 weeks. Mrs. Barker reviewed what was in the revolving fund and noted revolving fund future earmarks. Selectman Gaudiello would like to reinstate a printed newsletter (The Town Common) mailed to everyone. Printing and mailing was estimated between \$4,000 - \$10,000. Research will be done to get an estimate for the cost for producing and mailing. The Recreation Commission would like to recommend their choice as the new Administrative Assistant. Selectman Bussiere moved to offer this individual the position, seconded by Selectman Gaudiello. It was unanimously voted in the affirmative.

STAFF REPORT

Administrator Scruton

- The developer agreement for Redemption Way states that upon completion of the road, the road would be accepted as a public road by the Town. At this point the road is completed but the driveway for lot 6 has not been paved in 16'. It was suggested to wait until spring and then accept the road. In the meantime the Board will need review their acceptance of roads policy – may recommend wait one year then post surety for the second year. The Planning Board has the authority over the surety. Selectman Bussiere moved to wait until final completion of the items in section 5.1 of the agreement, accept the road and post a surety for the second year. It was unanimously voted in the affirmative.
- It was recommended that the town work with the town's attorney in deeding back a piece of property that the owner was making monthly payments on to catch up with property taxes. The property was deeded in error. The Board agreed with the recommendation.
- The town's audit is complete and the information will be going on the website. The only issue was addressed early this year. It was the consensus of the Board that the auditor did not need to come to a meeting.

- An RFP was sent out for unemployment and workers compensation coverage. The town received two responses. PRIMEX was substantially lower in cost. Selectman Hatch moved to go with PRIMEX starting in January, 2014, seconded by Selectman Malloy. It was unanimously voted in the affirmative. The PRIMEX plan will save the Town over \$50,000 in 2014.
- The Board agreed, with oversight, to let a UNH professor test equipment to make broadband more available to the community. He will be installing an antenna at the library.
- The 2013 tax rate is up \$1.00 to \$22.46 with the town's portion up .25.
- Child and Family Services have responded with the requested budget information.
- There are two vacant positions at the Highway Department. The person who was promoted internally from the transfer station for the vacant highway position did not successfully complete probation. We are advertising for the position as well as for a contract plow operator. If we obtain a contractor plow operator it will leave one position vacant.
- Administrator Scruton is looking at possible costs to come up with a solution that could get acceptance by the Browns for maintenance on Orchard Hill Road.

Clerk McNeil

Clerk McNeil requested signatures on the following: 2013 Property Tax Warrant, vendor manifest dated 10/30, payroll manifest dated 10/27 and the 2013 Equalization Municipal Assessment Date Certification.

SELECTMEN'S REPORT

Selectman Gaudiello recently attended the school board meeting. The superintendent presented the budget and talked about changing the high school of record. Also, the school board has hired a consultant to work at projecting future school enrollment.

Selectman Bussiere - no meetings last week.

Selectman Hatch - no meetings last week.

Selectman Malloy – no meetings last week.

PUBLIC COMMENT

Selectman Gaudiello reminded everyone that the Friends of Music Craft Fair at the Middle School is this Saturday. There will be local organizations present with raffles.

Ken Grant asked Selectman Gaudiello to check with the school board and asked where the school spent the \$500,000 surplus from last year. Selectman Gaudiello referred him to the Superintendent's office for more detail.

Selectman Gaudeillo moved to go into non-public session at 8:53 p.m. per RSA 91 A: 3 II, (b) seconded by Selectman Bussiere. Chairman Clark asked for a roll call, Bussiere – aye, Gaudiello – aye, Hatch – aye, Malloy – aye, Clark – aye. It was unanimously voted in the affirmative.

Selectman Gaudeillo moved to come out of non-public session at 9:28 p.m. and to seal the minutes for 30 days, seconded by Selectman Bussiere. It was unanimously voted in the affirmative.

Meeting adjourned at 9:30 p.m.