

Barrington Selectmen's Minutes Monday, June 15, 2015

The Selectmen's meeting for Monday, June 15, 2015 started at 6:30 p.m. It was held at the Barrington Middle School. Present were Selectman Bussiere, Selectman Gaudiello, Selectman Hatch, Selectman O'Brien, Chairman Clark, Administrator Scruton and Clerk Huckins

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

Selectmen signed two (2) payroll manifests, two (2) vendor manifests and three (3) pole permits.

Selectman Clark opened a public hearing on the acceptance and expenditure of the LEOP project grant of up to \$4,000, to update the town's Emergency Management Plan. Administrator Scruton stated that we are required to update our Emergency Management Plan every five (5) years. The total estimated cost of the update is \$8,000, with the state grant contributing \$4,000. The additional \$4,000 represents labor costs to be absorbed in the town's payroll. Selectman Hatch motioned to accept the grant and expenditure seconded by Selectman Gaudiello. It was unanimously voted in the affirmative.

APPOINTMENTS

Long Shores Lot Owners Association – Kelly Ellis of Berry River Rd spoke about the need to find a solution for the issues surrounding the condition of the Association's roads and asked the Selectmen to consider assisting them with plowing and sanding. The dues collected by the Association are not sufficient to cover both winter and regular road maintenance. The difficulty emergency vehicles experience in the winter months creates an unsafe situation for residents of the road. She mentioned a house that burned down two years ago because the fire trucks couldn't get to them. Kelly asked the Selectmen to meet with the Association and residents of the roads to explore solutions to the issues along with the associated costs. James Shaw of Berry River Rd feels that the town should pay Association dues for the lots it owns on the roads. He also spoke of a suspected squatter living in a shed with no sanitation, no running water and with no driveway/emergency access to the structure and asked for the town's assistance with these issues. Patricia Hctor of Berry River Rd cited her concern for children walking to the bus stop on the icy road, especially near the steep hill. She said that some of the oil and trash trucks refuse to service the residents during the winter months. Robert Clapp of Berry River Rd feels that if the town helped with winter maintenance, the Association would have more funds in their budget for road improvements. Mike McNeil of Long Shores Dr said he feels the Association should get some of the driveway permit fees collected on new construction. He asked Administrator Scruton to help the Association draft and mail letters to the road residents. Mike said that not all of the residents pay Association dues. John Houle of Long Shores Dr questioned whether the residents of Berry River Rd and Long Shores Dr pay the same taxes as those living on town maintained roads. Administrator Scruton stated that to his knowledge our assessors assess by neighborhoods and he assumes the condition of the road is taken into consideration when the property is assessed. He also stated that the town services received is not a direct relationship to the taxes a resident pays. Graham Thorenson of Long Shore Dr is concerned for his family's safety. Shannon Warren of Berry River Rd asked for input from the Selectmen on road issues. Administrator Scruton cited the case of Clapp vs Jeffrey which ruled that a municipality may not use public funds for private purposes. The town has considered ways to

work around this: 1) Betterment Assessment 2) Emergency Road Declaration 3) The Board could consider paying dues on the lots it owns. Administrator Scruton said the town estimates that it will cost 3 million dollars to bring the roads to town standard. Kelly Ellis asked if they could meet with Administrator Scruton to discuss the above-mentioned options. Administrator Scruton said he would be available to meet after June 28th and assured the group that the town will continue to do their best to provide emergency services to the residents of the roads. Chairman Clark feels that a meeting between Administrator Scruton and the Association was a good first step.

Solar PPA @ Transfer Station RSA 41:14-a – Mike Clark asked if anyone in the audience had a written request to withdraw signatures from the existing petition. No one responded. An audience member asked to sign the petition. Chris Dundorf, of Barrington Power, said that they were attempting to get signatures on a new petition and asked for an extension. Administrator Scruton said that unless the Selectmen reach a decision tonight, they will be required to start the RSA 41:14 period over again and hold two public hearings. According to RSA 41:14-a, a decision must be made within 7-14 days following the second public hearing which was held on June 1. Selectman Gaudiello asked if our attorney has looked at the wording of the petition. Administrator Scruton said that our attorney has read it and felt the wording was sufficient to request the project be brought to town meeting for a vote before the Selectmen can proceed to lease land for the project. Chris Dundorf stated that the new planned location for the solar panel array is on land at the Transfer Station.

PUBLIC COMMENT

Stephanie Dimke believes the voters want the Selectmen to approve a financial expenditure for the tower pad. She believes the \$7,000 should come from the Fire Rescue Equipment Capital Reserve Fund and we should ask voters to replace that money at the next town vote.

Paul Mausteller talked about our website. He said the agenda appears duplicated with only the date changed and that Administrator Scruton's report is difficult to locate. He believes if we modeled our site after the town of Lee, we would have more public participation.

Selectman Hatch said that the Communication Committee would like a short write up from the Selectmen explaining why they support replacing the old town hall instead of renovating it.

Rick Walker asked if we should hold summer meetings at the Public Safety Building to avoid the traffic delays due to road construction. Walker said that the only conflict would be on Tuesdays and Wednesdays. Administrator Scruton asked the Selectmen to clarify where they want to hold meetings this summer. It was decided to continue meeting in the cafeteria at the Middle School.

REVIEW OF MINUTES

Susan Gaudiello motioned to approve the minutes of 6/1/2015. Dawn Hatch seconded the motion. It was unanimously voted in the affirmative.

STAFF REPORT

Administrator Scruton

1. Tower - Administrator Scruton provided a cost breakdown for the Tower. Selectmen approved \$38,999. The site has moved, which could cost up to \$1,000, electrical could be up to \$500, Fairpoint has quoted \$75, foundation quote is \$6,864 and using FEMA's estimate for

the Highway Dept, the value of the work is \$10,520 (to be absorbed by the Highway Dept). This brings the total cost of the tower to \$58,000. He requested that the Selectmen vote to approve \$6,864 and other necessary funds as needed to proceed with erecting the tower. The funds would come from the Executive Incident Fund. Selectman Obrien motioned, seconded by Selectman Gaudiello.

Chairman Clark is concerned about spending \$58,000 on a project for which \$38,999 was approved.

Selectman Hatch asked Rick Walker if he could find the \$6,864 in his budget. He replied that he cannot.

Selectman Bussiere likes the suggestion to take the money out of the Fire Rescue Equipment Capital Reserve Fund. He also stated that \$10,520 of the total will be absorbed by the Highway Dept, bringing the total amount needed to \$7,500.

Selectman O'Brien said prior to approving this project, Selectmen were told the Capitol Reserve Fund contained \$60,000 which was in error by \$20,000. He understands the Highway Dept is absorbing \$10,520 of that but he fears this will impact Peter Cook's work schedule.

Stephanie Dimke asked why the Trustees of the Trust Funds were not asked for the total fund balance.

Selectman Gaudiello said that she was told by Administrator Scruton that the School Dept would postpone their paving project for 2 weeks to allow us time to get the tower erected.

Selectman Bussiere motioned to spend \$1,000 to relocate, \$500 for electrical and \$75 for Fairpoint and \$6,864 for the foundation.

Selectman Gaudiello asked if the \$500 for electric would have a significant impact to the electrical line. Administrator Scruton responded that it would not.

Selectman Bussiere rescinded his motion and proposed a new motion to authorize the Town to expend up to \$6864 for concrete, up to \$500 for Fairpoint, up to \$500 for electrical, up to \$1000 for relocation and to take the funds from the Fire Rescue Equipment Capital Reserve Fund. Selectman Gaudiello seconded the motion.

Rick Walker said that he could pay the \$500 electric, \$75 Fairpoint and \$1000 relocation costs from his budget, leaving only the \$6,864 concrete cost to come from the Capital Reserve Fund. In anticipation of upcoming equipment needs for his department, he doesn't want to deplete the fund. He also said that he will ask the voters to replenish that fund at the Town Meeting in March.

Selectman Gaudiello reminded the Board that they can also use the Executive Incident Fund and Selectman O'Brien suggested taking the money out of the Demolition Fund.

Paul Mausteller asked if the budget set aside for the Town Hall design had been expended. Administrator Scruton stated that it has been expended except for \$25,000, which was reserved for a Library Design.

Selectman Bussiere rescinded his motion again and made a new motion to fund \$7,000 for the foundation from the Executive Incident Fund with the remaining costs coming from the Fire

Department budget. Selectman Gaudiello seconded. Bussiere-Aye, Clark-Aye, Gaudiello-Aye, Hatch-Aye, O'Brien-Nay. The vote passed with a 4 to 1 vote.

2. Engine Brakes - Administrator Scruton asked the Board if they were seriously considering an Engine Brake Noise Ordinance. During the discussion it was noted that one resident of Tolend Rd complained of a loud jake brake. Marcia Gasses feels the truck traffic will subside when the construction work is on Watson Rd is complete. Selectman Hatch proposed tabling the issue and Selectman Gaudiello agreed and wants to revisit it at the end of July.

3. Blog Policy – An Envision subcommittee has a website with a blog. Concerned about liability risk, Administrator Scruton asked the Board to make it clear to the committee that no website or social media site associated with the town is allowed to have a blog without authorization and policy approved by the Select Board. Selectman Hatch motioned that no town associated group can make a blog without authorization and policy approved by the governing board. Selectman Gaudiello seconded. It was unanimously voted in the affirmative.

4. RFP Demolition – The RFP was amended to list that only one of the two boilers would be included in the demolition contract and the town will retain the other boiler for future use. Selectman Bussiere asked why we are not keeping both boilers. Administrator Scruton will obtain more information on the value of the boilers and bring it to the Board. Selectman Bussiere asked if we could further amend the RFP to ask the bidders to “line item” the boilers so we will know how they impact the demolition cost.

Fred Bussiere motioned to approve the RFP as amended. Selectman Gaudiello seconded the motion. It was unanimously voted in the affirmative.

5. American Legion – They asked the Selectmen to have a representative present at the Veteran’s and Memorial Day celebrations, support the placement of collection boxes for old flags at Town Hall and the Public Safety Building, increase the Veteran’s Property Tax Credit by \$50, encourage the Legion’s continued support of people and organizations that can be helped by the Legion, authorize Administrator Scruton to discuss the transfer of their land back to the town, amend the town’s website link policy to add the Legion and agree to abate the 2015 property tax and interest if the land transfer back to the town occurs.

Administrator Scruton clarified that the Legion wants to deed their land back to the town for \$1 plus the cost of improvements and town will negotiate the improvement costs with them.

Gaudiello motioned that the Board of Selectmen support the results of Administrator Scruton’s discussion with the Legion including, flag collection boxes, discussion of land transfer, connecting to the website and consideration of a tax abatement as part of the negotiation process. Selectman Hatch seconded.

After discussion, Gaudiello amended her motion to remove connecting the legion to our website. Selectmen Bussiere seconded. It was unanimously voted in the affirmative.

6. Deer Ridge Rd – Some construction vehicles are using Deer Ridge Rd to access Village Place. There is concern that the road may be damaged. Peter Cook feels that because there has only been one complaint, we should wait. John Huckins said the two contractors building there agreed to tell the truck drivers to only use the Rt 9 access. Selectman Gaudiello felt that perhaps the Selectmen don’t need to do anything at this time.

7. Retirement – Police Sargent Neenan will retire on July 1, 2015.

8. Revitalization Zones - The state has approved Barrington's 7 revitalization zones

CLERK HUCKINS

Clerk Huckins requested signatures on two (2) Intents to Cut, Abatements #35 and #38 and the CAI Maintenance Proposal.

OLD BUSINESS

Town Hall - Chairman Clark wants the Board to take a hard vote to support either building a new town hall or renovating the old building.

Selectman Gaudiello motioned to move forward with proposing new construction and not to renovate the old building. Selectman Bussiere seconded. Discussion ensued. Bussiere-Aye, Clark-Aye, Gaudiello-Aye, Hatch-Aye, O'Brien-Nay. The vote passed with a 4 to 1 vote.

Website – Selectman Bussiere feels that the administration of our website should be delegated to a member of the office staff. Selectman Gaudiello would like to hear from the Envision's Communication Committee for their opinion on designing a website that is easy to navigate.

Blog – Paul Mausteller asked if putting a disclaimer on the Envision Committee's blog would relieve the town of liability risk. Administrator Scruton said that our attorney advised against it. Selectman Bussiere wants the Envision group to propose a solution and Susan Gaudiello asked Administrator Scruton to seek consultation with NHMA on this topic.

124 Acre Town Owned Parcel –John Huckins stated that the Economic Development Committee had asked the Selectmen to do an RFP for commercial real estate brokers. The Selectmen would like the Committee to draft the RFP and bring it to the Selectmen for approval.

Paul Mausteller asked if we need a town vote to authorize Selectmen to sell the land. Administrator Scruton will check the minutes from past meetings to see whether the Selectmen have the authority to sell it.

SELECTMEN'S REPORTS

Conservation Commission – Selectman Gaudiello said the Commission was asked to weigh in on a case before the ZBA regarding property on Nippo Lake. They met with the County Forester to discuss forest management for town properties and are considering using conservation funds to gain access to the Calef property.

Zoning Board – Selectman Hatch reported that the Board has two (2) cases continued and two (2) were granted. The Zoning Board is looking to recruit more members.

Planning Board – Selectman Bussiere said that they not very busy with applicants but are busy with Chairman homework.

Recreation Commission – Selectman O'Brien reports that Summer Soccer has begun and Summer Camp will begin next Monday.

School Board – Chairman Clark said the last day of school will be Thursday and graduation will be Friday. He presented Dennis Malloy with a plaque honoring him for his service to the Planning Board and the Board of Selectmen.

PUBLIC COMMENT

Rick Walker said that work will be done on the fence at the cemetery. Selectman Bussiere asked for the outcome of the plot that was sold twice. Walker responded that there has been no response from the 2nd buyer.

Peter Cook can purchase winter sand at last year's price and asked if the Selectmen will authorize him to do so. Selectman Bussiere moved to authorize Peter Cook to purchase the sand at last year's price. Selectman Gaudiello seconded the motion. It was unanimously voted in the affirmative.

Selectman Bussiere motioned to go into non-public session per RSA91 A:3 II, for personnel. Selectman Hatch seconded the motion. Chairman Clark asked for a roll call, Bussiere-Aye, Clark-Aye, Gaudiello-Aye, Hatch-Aye, O'Brien-Aye. It was unanimously voted in the affirmative.

Selectman Hatch moved to come out of non-public session at 9:20pm and to seal the minutes indefinitely, seconded by Selectman Gaudiello. Chairman Clark asked for a roll call, Bussiere-Aye, Clark-Aye, Gaudiello-Aye, Hatch-Aye, O'Brien-Aye. It was unanimously voted in the affirmative.

The meeting adjourned at 9:21pm.