



# TOWN OF BARRINGTON

NEW HAMPSHIRE

Office of the Town Administrator

## Town Administrator Report

### December 12, 2022 Select Board Meeting

**Information regarding Meeting Access, Meeting Materials, Public Comment, Nonpublic Session, and Special Accommodations can be found in the Visitor Orientation section located at the end of this report.**

1. Call to Order
  - A. Roll Call Attendance
2. Pledge of Allegiance
3. Agenda Review and Approval – **Vote**  
[December 12, 2022 Select Board Agenda](#)
  - A. Select Board/Town Administrator  
***Make a motion to approve the December 12, 2022 agenda [as amended].***
4. Public Comment (see Visitor Orientation below)
5. Public Hearings and Invited Guests
  - A. School Board Liaison Report
    - i. The School Board liaisons are Dave Gibson (Chair) and Carrie Neill (Vice-Chair). Each meeting, the liaisons will be invited to discuss topics of their choice with the Select Board.
  - B. Strafford County Commissioner George Maglaras and State Representative Cassandra Levesque
    - i. The Strafford County Delegation recently approved a \$6.2 million bond to design a replacement for the Riverside Rest Home. Commissioner Maglaras and Representative Levesque will make a brief presentation on the Riverside Rest Home project and be available for questions.
  - C. 2023 Proposed Zoning Amendments – John Driscoll
    - i. Each year, Planning Board members consider proposing changes to the [Zoning Ordinance](#) through zoning amendments on the Town Meeting warrant. There is often confusion among voters regarding the motivation, details, and impact of zoning amendments. We are taking active steps this year to inform voters, solicit feedback, and answer questions. The Planning Board has spent considerable time during work sessions across many months this year preparing and refining zoning amendments. Importantly, the process is still ongoing.
    - ii. At their December 13, 2022 (6:30pm) work session, the Planning Board will be finalizing the list of zoning amendments ahead of their January 3, 2023 (6:00pm) public hearing. The process will conclude with a public hearing on January 17, 2023 (6:00pm). Each session will be at the Town Hall; 4 Signature Drive.
    - iii. The current list of proposed zoning amendments is attached.
    - iv. See attached, [2023 Proposed Zoning Amendments 20221208](#)
    - v. The Select Board discussion serves multiple purposes. First, to educate the Select Board and community regarding the slate of proposed zoning amendments. Next, to allow the



# TOWN OF BARRINGTON

NEW HAMPSHIRE

Office of the Town Administrator

Select Board to ask questions and provide feedback which the Planning Board can consider at their upcoming work session. Finally, to provide more awareness regarding the zoning amendment development process to aid in resident understanding.

- vi. We have invited Planning Board member John Driscoll who, with Joyce Cappiello's assistance, will be available to discuss and answer questions about the slate of proposed zoning amendments.

## D. Acceptance of HB 1221 NHRS 7.5% Refund – \$20,953

- i. House Bill 1221 included municipal funding in the form of a 7.5% refund of employer retirement contributions for group two employees (Police and Fire). Barrington's refund totals \$20,953.
- ii. Acceptance of unanticipated funds is governed by [RSA 31:95-b](#). As required, this public hearing was published in Foster's Daily Democrat on December 2, 2022.
- iii. Public Comment (see Visitor Orientation below)

***Make a motion to accept and expend the HB 1221 NHRS 7.5% Refund in the amount of \$20,953.***

## 6. Consent Agenda (requires unanimous approval) – **Vote**

***Make a motion to approve the December 12, 2022 consent agenda (A-C) as presented.***

### A. [Meeting Minutes November 28, 2022](#)

*Make a motion to approve the November 28, 2022 minutes [as amended].*

### B. New Requests for Signature

- i. Accounts Payable Manifest 2022-250
- ii. Payroll Manifest 2022-149
- iii. Payroll Manifest 2022-149B (Fire)
- iv. Payroll Manifest 2022-149C (Earned-Time-Buyout)
- v. Payroll Manifest 2022-149D (Earned-Time-Buyout 2)
- vi. 2023 Financial Services Consultant Contract – Stone Hill Municipal Solutions
- vii. 2023 Assessing Services Contract – Corcoran Consulting
- viii. Oath of Office for Matt Mooers – Recreation Commission Alternate Appointment
- ix. Administrative Abatement for Map 220 Lot 45
- x. Intent to Cut Wood or Timber for Map 236 Lot 14

*Make a motion to authorize and sign the above-referenced documents (i-x).*

### C. Tricentennial Fireworks

- i. The Tricentennial Committee has requested the Select Board release \$2,500 for the fireworks show at the Barrington Soiree.

***Make a motion to appropriate \$2,500 from the Tricentennial Expendable Trust Fund for fireworks.***

## 7. Appointments

## 8. Staff Report

### A. Administrator MacIver

- i. December Work Anniversaries

1. Richard Walker Jr. • Fire Chief • 22 Years



# TOWN OF BARRINGTON

NEW HAMPSHIRE

Office of the Town Administrator

- a. Hired in December of 2000 as a full-time member of the Highway Department crew; previously appointed as part-time Chief in July of 1999.
2. Dana Martel • Custodian • 10 Years
3. Brian Dodier • Highway Department • 9 Years
4. Susan Milioto • Library Desk Clerk • 5 Years
5. Christopher Wareing • Fire Department • 4 Years
6. Jake Roger • Fire Department • 4 Years
7. Kieron Taylor • Fire Department • 3 Years
8. Lilah Cherim • Fire Department • 3 Years
9. Rebecca Nelson • Deputy Town Clerk • 3 Years
10. Malachi Fisher • Fire Department • 2 Year

## ii. Ask The Town

1. We had some great questions this week for Ask The Town. See a sample below. Residents are encouraged to keep the questions coming! [ask@barrington.nh.gov](mailto:ask@barrington.nh.gov).
  - a. Q. Where do I find information about Town-owned land sales, including results from recent sales? [Answer.](#)
  - b. Q. How do I review my property's assessed value or property record card; what if there are mistakes? [Answer.](#)
  - c. Q. How do I find information about private cemeteries? [Answer.](#)
  - d. Q. What role does the Town government play in deciding which cable and internet providers serve Barrington? [Answer.](#)
  - e. Q. Do I need a fire permit to burn brush in the winter? [Answer.](#)
  - f. Q. What are the details of the 2022 Property Tax Rate? [Answer.](#)
  - g. Q. Who decides how property is subdivided or developed? [Answer.](#)
2. This initiative was started to help answer resident questions about Town government. There is a lot happening in Barrington and we want residents to have all the details. Chances are, if one resident has a question, others are wondering the same thing.
3. Hearing about what residents want to know also helps us make improvements to how we share information. Send questions to [ask@barrington.nh.gov](mailto:ask@barrington.nh.gov); questions and answers may be featured on the Town's website: [www.barrington.nh.gov](http://www.barrington.nh.gov) and/or Facebook page: [www.facebook.com/BarringtonNHGov](https://www.facebook.com/BarringtonNHGov).



## B. Municipal Office Administrator Caudle



# TOWN OF BARRINGTON

NEW HAMPSHIRE

Office of the Town Administrator

## 9. Old Business

### A. Richardson Pond Dam Reconstruction/Removal – Discussion

- i. At the November 28, 2022 meeting, the Select Board discussed the proposal to reconstruct the Richardson Pond Dam using partial funding from a separate warrant article. The previous policy direction to reconstruct the dam was based on a preliminary engineering evaluation and a stakeholder meeting. The stakeholder meeting included representatives from the Select Board, Conservation Commission, NH DES, and the Southeast Land Trust. The recommendation, at that time, was to reconstruct the Richardson Pond Dam at a non-jurisdictional elevation.
- ii. The Select Board have been asked questions about the dam removal option and requested additional information. Specifically, the Select Board requested comment from the Southeast Land Trust (SELT) as the easement holder and from the Conservation Commission.
- iii. See attached, [ltr SELT to Barrington CC 2022-12-06 Ecological Assessment](#)
- iv. The Conservation Commission will be meeting on Thursday evening (12/8/2022) and their comments will be available for discussion during the December 12, 2022 Select Board meeting.

### B. Proposed Noise Ordinance – Discussion

- i. At the June 13, 2022 meeting, the Select Board discussed the Town Noise Ordinance and the 2016 and 2017 amendments which were not legally adopted.

1. Barrington voters adopted a noise ordinance in 2001 pursuant to RSA 31:39.

#### a. **2001 Warrant Article**

*Are you in favor of adoption of a Noise Ordinance for the town that would prohibit the making of noise in excess of 60 decibels from 9:00 pm to 6:00 am and 75 decibels from 6:00 am to 9:00 pm as measured at the property line, or any public right of way, provide for waivers to be issued for special circumstances, and impose a penalty of up to \$1,000 for each offense.*

2. In 2016, the Select Board amended the ordinance at a public hearing.

#### a. **2016 Amendment**

*Chairman O'Brien opened the public hearing on an amendment to the Noise Ordinance at 6:33 p.m. The proposed amendment to the Ordinance was sent to the attorney's office for review and he had several recommendations. It was suggested to remove section #4 – "music or sounds". Selectman Knapp felt that section was overly vague and ambiguous. There was no public comment. Selectman Knapp moved to amend the Noise Ordinance by removing section #4, seconded by Selectman Ayer. It was unanimously voted in the affirmative. The public hearing closed at 6:33 p.m.*

3. In 2017, the Select Board amended the ordinance at a regular meeting, no hearing.

#### a. **2017 Amendment**

*Selectman Bailey would like to amend the current Noise Ordinance to allow fireworks from July 1st – July 4th instead of just July 4th. Chairman O'Brien has a question as to who is going to enforce this ordinance. Selectman Hatch moved to allow fireworks to be displayed from July 1st –*



# TOWN OF BARRINGTON

NEW HAMPSHIRE

Office of the Town Administrator

*July 6th and to add #10 "The Town Administrator may delegate to the Police Chief", seconded by Selectman Bailey. It was unanimously voted in the affirmative.*

4. Noise ordinances per RSA 31:39 are adopted and amended by Town Meeting. The Select Board cannot amend them unless Town meeting grants such authority (which was not done in 2001). The previously adopted amendments should not be applied as they were not legally adopted. Any amendment the Select Board is interested in making to the 2001 noise ordinance should be prepared for 2023 Town Meeting. Chief Joy is interested and willing to help create amended Noise Ordinance language which is enforceable by his department.
    - ii. As discussed, Chief Joy has developed a proposed Noise Ordinance which mirrors the 2017 version but has improved enforceability.
    - iii. See attached, [Proposed Noise Ordinance 20221208](#)
    - iv. The Select Board is asked to review the proposed noise ordinance and request any additional information necessary before voting to place the article on the warrant.
- C. Town Center TIF District Development Program and Financing Plan – **Vote**
- i. At the November 28, 2022 meeting, the Select Board voted to approve the map and items to be included in the Town Center TIF District Development Program. I have compiled the document, as required by statute, for the establishment of the Town Center TIF District.
  - ii. See attached, [Town Center TIF District Development Program and Financing Plan 20221208](#)

***Make a motion to approve the Town Center TIF District Development Program and Financing Plan as presented and include the establishment of the Town Center TIF District on the 2023 Town Meeting warrant.***

## 10. New Business

- A. Barrington Police Collective Bargaining Agreement – **Vote**
- i. At the October 17, 2022 meeting, the Select Board adopted the recommendations of the 2022 Wage Study and offered to open the existing NEPBA Local #240 contract (2021-2024). The Police Union accepted the request to open negotiations.
  - ii. On November 10, 2022 and December 1, 2022, the Town and the Police Union met to discuss a proposed contract. The Town emphasized the commitment and dedication of Barrington's officers and leadership. The Police Union expressed appreciation for the Town's willingness to open the contract and consider requests focused on recruitment and retention.
  - iii. The result of negotiations (Tentative Agreement) includes a three-year term (2023-2026) which addresses wage increases consistent with the 2022 Wage Study, provides a guaranteed step increase for eligible employees in 2024 and 2025, increases the vendor-paid outside detail rate to \$60 per hour, increases the holiday pay structure to 120 hours, creates a \$3/hour differential for Field Training Officers, and increases the compensatory time allowance to 80 hours. The Town and Police Union also used this opportunity to update out-of-date aspects of the contract relative to pay schedule, dental insurance, and life insurance
  - iv. See attached, [Redlined Tentative Agreement 2023-2026 NEPBA 240 Contract 20221208](#)



# TOWN OF BARRINGTON

NEW HAMPSHIRE

Office of the Town Administrator

- v. The cost items of the proposed contract will be presented to voters at Town Meeting in 2023. Those cost items are summarized below.

1. **Total**

- a. **\$69,542 – 2023**
- b. **\$48,462 – 2024**
- c. **\$31,906 – 2025**
- d. Wages
  - i. \$57,390 – 2023
  - ii. \$48,036 – 2024
  - iii. \$31,529 – 2025
- e. Holiday Pay
  - i. \$10,652 – 2023
  - ii. \$376 – 2024
  - iii. \$327 – 2025
- f. Field Training Officer Differential
  - i. \$1,500 – 2023
  - ii. \$50 – 2024
  - iii. \$50 – 2025

- vi. The Select Board is asked to consider approving the Tentative Agreement for inclusion in the 2023 Warrant.

***Make a motion to approve the Tentative Agreement as presented and include the cost items in the 2023 Town Meeting Warrant.***

B. Donation Request – Discussion

- i. See attached, [Donation Request 20221206](#)
- ii. At the Chair’s request, the Police Chief has reviewed the request and prepared the following recommendation for the Select Board.

1. *I have been asked for my input regard the donation of patrol rifles from 2A Tactical (Mr. Russell). First, I am certain that Mr. Russell is making this offer in order to support the Barrington Police Department and its staff. I am thankful we have citizens willing to stand behind Town employees. Further, I absolutely agree with Mr. Russell’s statement that “I believe that strong relations between the Town of Barrington and its local people and business’s only help to benefit the Town overall.”*

*The rifles donated by 2A Tactical in the past have been extremely helpful in meeting the needs of the Barrington Police Department. They replaced aged equipment which was at the end of service life. The offered rifles would assist me in meeting those same needs in our present replacement schedule. Unfortunately, as a Chief of Police, I am often forced to look past the easy solution.*

*Above basic equipment needs, I need to consider public perception based on ‘today’s’ set of facts. I currently have criminal cases pending where Mr. Russell and/or his business are victims. One of those cases involves an imminent arrest and another is still in the investigative stage. There is also the potential that Mr. Russell*



# TOWN OF BARRINGTON

NEW HAMPSHIRE

Office of the Town Administrator

*may be involved as a witness for the State on the prosecution of a theft. None of these issues would preclude the donation, but I find it to be best practice to not tread on 'gray' areas where prosecution is concerned.*

*Thus, until these cases are resolved (likely well into 2023), I cannot recommend accepting any donation.*

11. Select Board Member Reports and Concerns

- A. Select Board Member Cappiello
- B. Select Board Member Gibson
- C. Select Board Member Saccoccia
- D. Select Board Vice-Chair Bailey
- E. Select Board Chair Mannschreck

12. Public Comment (see Visitor Orientation below)

13. Nonpublic Session (if required)

- A. Legal

***Make a motion to enter non-public session pursuant to RSA 91-A:3, II for the purposes of legal.***

14. Adjournment

- A. Upcoming Meetings

i. January 10, 2022 (Tuesday) • January 23, 2023 • February 13, 2023 • February 27, 2023

- B. Upcoming Events

i. February 4, 2022 (Saturday) – Deliberative Session – Barrington Middle School

ii. March 14, 2022 (Tuesday) – Ballot Session – Barrington Middle School

### **Visitor Orientation to the Select Board Meeting**

Welcome to this evening's Select Board meeting. Please note that the purpose of the meeting is for the Select Board to accomplish its work within the time allotted. View the full Select Board Rules of Procedures at: <http://bit.ly/BarrSBRulesofProcedures>.

#### Meeting Access

- **In-Person**

- New Town Hall Meeting Room
- 4 Signature Drive, Barrington, NH 03825

- **Remote Meeting Participation**

- Video: [barrington.nh.gov/sbmeeting](http://barrington.nh.gov/sbmeeting)
- Call: [+1 603-664-0240](tel:+16036640240) (one-click link)
  - Conference ID: 193 013 548#

#### Meeting Materials

Additional details regarding each agenda item and all supporting documentation can be found in the Town Administrator Report at [www.barrington.nh.gov/TA20221212](http://www.barrington.nh.gov/TA20221212). Please contact the Town Administrator or Municipal Office Administrator with questions.

#### Public Comment

Meetings are open to the public, but public participation is limited. If you wish to be heard by the Select Board, please note the two Public Comment portions of the meeting to speak to items on a meeting agenda and/or matters pertaining to the business of the Select Board. In addition, public hearings may be scheduled for public comment on specific matters. Speakers must be residents of the Town of Barrington, property owners in the Town of Barrington, and/or designated representatives of recognized civic organizations or businesses located in the Town of Barrington. When they are addressed and permitted to speak by the Chair, speakers first need to recite their name and address for the record. Visitors should address their comments to the Chair and the Select Board as a body and not to any individual member. Each speaker shall be provided a single opportunity for comment, limited to three (3) minutes. Public Comment shall be limited to fifteen (15) minutes. Visitors should not expect a response to their comments or questions since the Select Board may not have discussed or taken a position on a matter. Public Comment is not a two-way dialogue between speaker(s), Select Board, and/or



# TOWN OF BARRINGTON

## NEW HAMPSHIRE

Office of the Select Board

the Town Administrator. The Chair will preserve strict order and decorum at all Select Board meetings. Obscene, violent, disruptive, disorderly comments, or those likely to induce violence, disruption, or disorder, are not permitted and will not be tolerated. Complaints regarding Town staff should be directed to the Town Administrator.

### Nonpublic Session

The Select Board may enter one or multiple nonpublic sessions pursuant to RSA 91-A:3, II. The public is not permitted to attend nonpublic sessions and will be asked to leave the meeting space. Nonpublic sessions are allowed for reasons including: Dismissal, promotion, compensation, disciplining, investigation or hiring of a public employee; Matters which would likely adversely affect the reputation of any non-board member; Buying, selling or leasing real or personal property if public discussion would give someone an unfair advantage over the municipality; Lawsuits filed or threatened in writing against the municipality, until fully adjudicated or settled; and Preparation for and carrying out of emergency functions related to terrorism.

### Special Accommodations

The Town of Barrington requires 48 hours' notice if the meeting must be modified for your participation or if special communication aides are needed. Please submit requests to the Select Board Office or call 603-664-9007.