



# TOWN OF BARRINGTON

NEW HAMPSHIRE

Office of the Select Board

## Town Administrator Report

### January 10, 2023 Budget, Town Center TIF District, Noise Ordinance, 2023 Proposed Warrant Public Hearings and 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**  
[January 10, 2023 Select Board Agenda](#)
  - A. Select Board/Town Administrator  
*Make a motion to approve the January 10, 2023 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. 2023 Proposed Operating Budget - \$8,279,529 – **Vote**
    - i. Annual Budget public hearing pursuant to RSA 32:5, I and V; RSA 40:13, II-a (c). Properly noticed in Fosters Daily Democrat on December 28, 2022.
    - ii. Warrant Article Language:
      1. *To see if the Town will vote to 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 \$8,279,529? Should this article be defeated, the default budget shall be \$8,005,978, 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. [Majority Vote Required]. This article is projected to add 24 cents/1,000 to the 2023 tax rate or \$78 to the tax bill on a \$325,000 property.*

*This article **is/is not** recommended by the Advisory Budget Committee **#-#**.*

*This article **is/is not** recommended by the Select Board **#-#**.*



# TOWN OF BARRINGTON

## NEW HAMPSHIRE

Office of the Select Board

- iii. An electronic copy of the comprehensive budget binder can be found at [www.barrington.nh.gov/2023budget](http://www.barrington.nh.gov/2023budget). Please use the table of contents and bookmarks to navigate the electronic budget binder. Summary documents are also attached below.

1. See attached, [2023 Budget Summary by Function 20221222](#)
2. See attached, [2023 Operating Budget Estimated Tax Rate Impact 20221222](#)
3. See attached, [2023 Tax Rate Impact - Average Home Calculation 20221128](#)
4. See attached, [2023 MS636 Operating Budget 20221222](#)
5. See attached, [2023 MSDTB Default Budget 20221222](#)
6. See attached, [2023 Budget Public Hearing Presentation 20221222](#)

- iv. Public Comment (see Visitor Orientation below)

***Make a motion to present the \$8,279,529 budget to voters on the 2023 Warrant.***

C. Town Center Tax Increment Financing District – **Vote**

- i. Town Center Tax Increment Financing (TIF) District public hearing pursuant to RSA 162-K:4. Properly noticed in Fosters Daily Democrat on December 28, 2022.
- ii. See attached, [Town Center TIF District Development and Financing Plan 20221213](#)
  1. Additional information is available at: [www.barrington.nh.gov/tif](http://www.barrington.nh.gov/tif).
- iii. See attached, [Town Center TIF District Hearing Presentation 20221222](#)
- iv. Public Comment (see Visitor Orientation below)

***Make a motion to present the Town Center Tax Increment Financing District to voters on the 2023 Warrant.***

D. Noise Ordinance – **Vote**

- i. Proposed Noise Ordinance public hearing, properly noticed in Fosters Daily Democrat on December 28, 2022.
- ii. 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*



# TOWN OF BARRINGTON

## NEW HAMPSHIRE

Office of the Select Board

*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 – 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.
- iii. As discussed, Chief Joy has developed a proposed Noise Ordinance which mirrors the 2017 version but has improved enforceability. At the December 12, 2022 meeting, the Select Board voted to present the Noise Ordinance to voters.
- iv. See attached, [Proposed Noise Ordinance 20221213](#)
- v. Public Comment (see Visitor Orientation below)

***Make a motion to present the Noise Ordinance to voters on the 2023 Warrant.***

E. 2023 Proposed Warrant Finalization – **Vote**

- i. 2023 Warrant public hearing, properly noticed in Fosters Daily Democrat on December 28, 2022.
- ii. See attached, [2023 Warrant – Public Hearing](#)
- iii. [2023 Estimated Tax Rate Impact by Warrant Article 20221222](#)
- iv. The Select Board is asked to take a vote on each proposed article to finalize and make a recommendation which will be included in the article language presented at Deliberative Session. The Advisory Budget Committee recommendations will be made at the January 11, 2023 ABC meeting. If the language of any article is changed at Deliberative Session, the Select Board and ABC will meet immediately following the Deliberative Session to update their recommendation vote only on those articles.
- v. Public Comment (see Visitor Orientation below)
- vi. Select Board Recommendations:
1. Article 8: Operating Budget
  2. Article 9: Town Center Tax Increment Financing District
  3. Article 10: Bridge and Culvert Capital Reserve
  4. Article 11: Highway Equipment Capital Reserve
  5. Article 12: Fire Truck Capital Reserve
  6. Article 13: Fire Rescue Equipment Capital Reserve
  7. Article 14: Dam Repair/Engineering/Replacement Capital Reserve
  8. Article 15: Police Equipment Capital Reserve
  9. Article 16: Paving and Related Road Work Non-Lapsing Article



# TOWN OF BARRINGTON

## NEW HAMPSHIRE

Office of the Select Board

10. Article 17: Emergency Communication Upgrades Capital Reserve
11. Article 18: Transfer Station and Recycling Center Capital Reserve
12. Article 19: Library and Community Center Capital Reserve
13. Article 20: Energy Capital Reserve
14. Article 21: Library Technology Capital Reserve
15. Article 22: Police Collective Bargaining Agreement
16. Article 23: Collective Bargaining Agreement Renegotiations and Vote
17. Article 24: Service-Connected Total Disability Credit
18. Article 25: All Veterans' Tax Credit
19. Article 26: Fiber to the Home Non-Binding Agreement
20. Article 27: Noise Ordinance
21. \*NEW\* Article 28: Waste Management Contract Through 2031\*

- a. This article will be discussed under New Business below and is only included as a placeholder pending Select Board deliberation on the proposed contract. A recommendation vote should be delayed until the Select Board decides whether to include this article on the warrant.

***Individually make a motion to recommend each article for approval and present to voters on the 2023 Warrant.***

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

***Make a motion to approve the January 10, 2023 consent agenda (A-G) as presented.***

A. [Meeting Minutes December 5, 2022](#)

*Make a motion to approve the December 5, 2022 minutes [as amended].*

B. [Meeting Minutes December 12, 2022](#)

*Make a motion to approve the December 12, 2022 minutes [as amended].*

C. Previously Submitted/Signed Requests for Signature

- i. Accounts Payable 2022-251
- ii. Accounts Payable 2022-252
- iii. Accounts Payable 2023-201
- iv. Payroll Manifest 2022-150
- v. Payroll Manifest 2022-151
- vi. Payroll Manifest 2022-152

vii. Timber Intent for Map 233 Lot 38, Map 240, Map 240 Lot 5, 6, & 7, and Map 249, Lot 18  
*Make a motion to authorize and sign the above-referenced documents (i-vii).*

D. New Requests for Signature

- i. Accounts Payable 2022-County
- ii. Accounts Payable 2023-202
- iii. Payroll Manifest 2023-101

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



# TOWN OF BARRINGTON

## NEW HAMPSHIRE

Office of the Select Board

### E. Pebble Court – Mallego Conservation Subdivision

- i. A developer is seeking Planning Board approval for a [17-Lot Conservation Subdivision](#) off Mallego Road on Map 239, Lot 35. The new cul-de-sac road will need to be named and the developer has proposed Pebble Court. The road name has been reviewed by the Town's E911 Road Naming Committee and New Hampshire E911; there were no objections.
- ii. See Attached, [Mallego Road Conservation Subdivision – Pebble Court Plan 20221220](#)
- iii. Pursuant to [RSA 231:133](#), the Select Board shall approve road names.

*Make a motion to approve the name "Pebble Court" for the 17-lot Conservation Subdivision located at Map 239, Lot 35.*

### F. Planning Board Fees Update

- i. See attached, [2022 Planning Board Rules of Procedure memo to Select Board](#)
- ii. See attached, [2022 PB Rules of Procedure FINAL 13 Dec 22](#)

*Make a motion to update the Planning Board fee structure as proposed by the Planning Board in their Rules of Procedures at the December 13, 2022 meeting.*

### G. Body Worn Camera Grant

- i. At the September 7, 2022 meeting, the Select Board authorized pursuit of the SB 401 body camera and equipment grant. This grant was recently awarded, and the Select Board is asked to accept and expend up to \$3,000.
- ii. The Select Board is authorized to accept and expend grant funds pursuant to RSA 31:95-b.

*Make a motion to accept and expend the SB 401 body worn camera and equipment grant of up to \$3,000.*

## 7. Appointments

## 8. Staff Report

### A. Administrator MacIver

- i. January Work Anniversaries
  1. Tyler Rand • Fire/EMS • 14 Years
  2. Cody Guile • Fire/EMS • 6 Years
  3. Erin O'Dea • Recreation Administrative Assistant • 3 Years





# TOWN OF BARRINGTON

## NEW HAMPSHIRE

Office of the Select Board

### 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. Why is the 2023 Town Budget/Warrant Public Hearing on a Tuesday? [Answer](#).
  - b. Q. What is the Barrington Town Center? [Answer](#).
  - c. Q. When is a driveway permit required? [Answer](#).
  - d. Q. Why are there not solar panels on the new Town Hall? [Answer](#).
  - e. Q. What positions are up for election in 2023? [Answer](#).
  - f. Q. Does the Town replace damaged mailboxes? [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

### 9. Old Business

### 10. New Business

#### A. Waste Management Contract – **Vote**

- i. At the April 20, 2022 meeting, the Select Board discussed a proposed inflationary cost increase by Waste Management.
  1. At Town meeting in 2018, voters ratified a multi-year contract with Waste Management through December 31, 2026.
    - a. See attached, [2018 Barrington Executed TS Agreement](#)
  2. Section 3 of the contract stipulates annual increases in the hauling and disposal fees. Hauling of recyclables is included, but disposal costs vary based on the quality and market. Section 17 addresses Force Majeure.
  3. On April 13, 2022, the Town received the following letter and request for a 3% increase in hauling and disposal (above and beyond the contract) from Waste Management.
    - a. See attached, [Inflationary Cost Letter](#)



# TOWN OF BARRINGTON

## NEW HAMPSHIRE

Office of the Select Board

4. Additionally, Waste Management provided the following review of industry impacts.
  - a. See attached, [Waste Management Industry Impacts - April 2022](#)
- ii. At the May 9, 2022 meeting, the Select Board met with Peter Lachapelle, Waste Management's Public Sector Representative to further discuss the Waste Management request and the impacts to the solid waste industry.
- iii. At the May 23, 2022 meeting, the Select Board voted to not accept the cost increase until an updated draft proposal is created between Waste Management and Barrington to include a contract extension.
- iv. After multiple meetings with staff, on January 5, 2022, Waste Management has offered terms of a contract extension through the end of 2031. Their proposal includes a price jump in 2023 and in years 2024-2031 there would be an average increase of 4.9% per year per ton and 6.9% per year per haul. The current contract (through 2026) maintains 2% increases per year in tonnage and hauling. The proposed contract also includes a fuel surcharge/rebate program with a \$4/gallon baseline. The proposed 2023 start date would be June 1, 2023. It is apparent that if we remain in the existing contract, we should expect a dramatic increase in a new contract.
  1. See attached, [Waste Management Proposed Contract Extension Through 2031 20230105](#)
  2. See attached, [Waste Management Proposed Contract Extension Fuel Surcharge 20230105](#)
- v. A quick analysis was performed based on 2022 data for hauls and tonnage. Each value represents the estimated annual cost. This analysis assumes no change in utilization and ignores commodity pricing and the fuel surcharge.

	Current Contract	Proposed Contract	Difference
<b>2023</b>	\$220,319	\$247,763 (6/1/2023)	\$27,444
<b>2024</b>	\$230,878	\$298,161	\$67,283
<b>2025</b>	\$240,250	\$321,240	\$80,990
<b>2026</b>	\$246,993	\$344,008	\$97,015
		<b>Subtotal</b>	<b>\$272,732</b>
<b>2027</b>		\$365,534	
<b>2028</b>		\$386,149	
<b>2029</b>		\$407,198	
<b>2030</b>		\$429,392	
<b>2031</b>		\$450,885	

If Barrington adopted the proposed contract terms, it is estimated that it would cost a total of \$272,732 more in years 2023-2026 than the current contract terms. Further, the proposed 2031 pricing is estimated to be \$203,892 more than the 2026 rates of the existing contract.

- vi. One thing, we talk about regularly as a tenant of good government is avoiding large peaks or valleys in appropriations (or revenue). This proposed contract extension could allow the anticipated cost increase to be gradually phased in versus experiencing a doubling of



# TOWN OF BARRINGTON

## NEW HAMPSHIRE

Office of the Select Board

the rates in 2026. That said, the Town could also explore other tools to help normalize a price hike. One such option would be a revolving fund or special revenue fund. This would allow user fees to accumulate year over year and funds could be saved in anticipation of a large increase.

- vii. An additional factor to consider is the current solid waste industry and capacity in New Hampshire. Due to the proximity of Waste Management in Rochester, Barrington is unlikely to have a less expensive option based on hauling fees alone. The ability to secure a contract through the end of 2031 is appealing in order to manage the uncertainty of the solid waste industry.
- viii. The Transfer Station and Recycling Center Review Committee will meet on Monday, January 9, 2023 to review the Waste Management proposal. Their comments will be available for review at the January 10, 2023 meeting.
- ix. Ultimately, the Select Board needs to decide whether to present voters with the proposed contract extension on the 2023 warrant.

### 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)

### 14. Adjournment

#### A. Upcoming Meetings

- i. January 23, 2023 • February 13, 2023 • February 27, 2023 • March 6, 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/TA20230110](http://www.barrington.nh.gov/TA20230110). Please contact the Town Administrator or Municipal Office Administrator with questions.





# TOWN OF BARRINGTON

## NEW HAMPSHIRE

Office of the Select Board

### 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 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.