

Town Administrator Report

February 27, 2023 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

February 27, 2023 Select Board Agenda

A. Select Board/Town Administrator

Make a motion to approve the February 27, 2023 agenda [as amended].

- 4. Public Comment (see Visitor Orientation below)
- 5. Public Hearings and Invited Guests
 - A. County Commissioner George Maglaras
 - i. The Strafford County Delegation recently approved a \$6.2 million bond to design a replacement for the Riverside Rest Home. On December 12, 2022, Representative Levesque provided brief details and explained that Commissioner Maglaras would make a future presentation. Commissioner Maglaras will make a brief presentation on the Riverside Rest Home project and be available for questions.
 - B. State Representative Cassandra Levesque
 - i. The Select Board has invited the political leaders representing Barrington to attend a Select Board meeting to discuss topics of interest to our municipal government.
 - C. 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.
 - D. Acceptance of Overlook Circle RSA 674:40-a III Vote
 - i. Per RSA 674:40-a II, the Planning Board approved the site plan on October 9, 2014.
 - 1. See attached, River's Peak (Overlook Circle) Approved Plans 20141009
 - ii. Per RSA 674:40-a IV, A street accepted under this section shall have the status of a public highway under RSA 229:1. Such street shall be deemed a class V highway, subject to the municipality's duty of regular maintenance as set forth in RSA 231, unless otherwise designated pursuant to statute.
 - iii. The Town has prepared relevant details of the acceptance of Overlook Circle at: www.barrington.nh.gov/office-select-board/pages/overlook-circle. Documents include engineering reports, construction deficiencies, and court documents.



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- iv. The Select Board previously held a hearing on February 28, 2022 and voted to *not accept Overlook Circle pursuant to RSA 674:40-a III because it was not built to the Town's specifications as required by Town Meeting as evidenced in the September 27, 2021 memo from Hoyle, Tanner, and Associates.* The residents of Overlook Circle filed claims against the developer, engineers, and the Town related to future maintenance of Overlook Circle.
- v. Although the boring results indicate that the developer erred in constructing the road to the Town's specifications, the superior court has found on a preliminary basis that the Town's former engineer (acting as an agent of the Town) did not sufficiently notify the developer of those errors. Unfortunately, the residents of Overlook Circle are blameless and have been negatively affected by the circumstances. The Town took many steps in the interest of Barrington's residents including trying to call the construction bond, hiring a new engineer, and ending the relationship with the original third-party engineer. Additionally, the Town advocated in court that the developer was responsible for the identified construction deficiencies of Overlook Circle. One positive (and important) detail is that Overlook Circle has withstood almost three full winters without obvious signs of premature failure. After evaluating the steps taken and options moving forward, the Select Board chose to reconsider the acceptance of Overlook Circle. All related claims against the Town would be dropped if Overlook Circle is accepted as a Class V, Town-maintained road.
- vi. Public Comment (see Visitor Orientation below)

 Make a motion to accept Overlook Circle pursuant to RSA 674:40-a III.
- E. Issuance of a Building Permit on Rocky Point Road, a Private Road, for David Olds and Jennifer Miksis-Olds, Map 118, Lot 11 Vote
 - i. See attached, 20230227 21RockyPtRdPrivateRdApp
 - ii. The applicants have requested a waiver from the road improvement requirements of the Town's <u>Class VI and Private Road Building Policy</u>. Their application materials demonstrate compliance with the remainder of the policy. They have also provided a detailed waiver request as required by the policy.
 - iii. Staff and the Planning Board have reviewed the application and have supported the waiver request citing the good condition of the road (comments available in the application packet). There is a formal road association which also submitted a letter of support. The applicants would be required to repair any damage to the road caused during construction.
 - iv. Public Comment (see Visitor Orientation)

Make a motion to approve a waiver of the road improvement requirements (section III, c, vii, 4) of the Class VI and Private Road Building Policy and to authorize the issuance of a building permit for Map 118, Lot 11 on Rocky Point Road.

- F. Acceptance of Housing Opportunity Planning Grant \$25,000
 - i. See attached, Housing Opportunity Planning Grant Select Board Memo 20230206
 - ii. Acceptance of unanticipated funds is governed by <u>RSA 31:95-b</u>. As required, this public hearing was published in Foster's Daily Democrat on or before February 20, 2023.
 - iii. Public Comment (see Visitor Orientation below)

Make a motion to accept and expend the Housing Opportunity Planning grant in the amount of \$25,000.

6. Consent Agenda (requires unanimous approval) – Vote

Make a motion to approve the February 27, 2023 consent agenda (A-C) as presented.

A. Meeting Minutes February 13, 2023

Make a motion to approve the February 13, 2023 minutes [as amended].

- B. Previously Submitted/Signed Requests for Signature
 - i. Accounts Payable Manifest 2023-205
 - ii. Accounts Payable Manifest 2023-206
 - iii. Accounts Payable Manifest 2023-207
 - iv. Accounts Payable Manifest 2023-208
 - v. Payroll Manifest 2023-104
 - vi. Payroll Manifest 2023-105
 - vii. Payroll Manifest 2023-106
 - viii. Payroll Manifest 2023-107
 - ix. Intent to Cut for Map 234 Lot 25-1
 - x. Termination Agreement for Hard Rock Development, LLC.
 - xi. Approved Meeting Minutes for January 10, 2023

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

C. New Requests for Signature

- i. Accounts Payable Manifest 2023-209
- ii. Payroll Manifest 2023-108
- iii. Oath of Office for Officer Sardinha
- iv. Approved Meeting Minutes for January 23, 2023
- v. Approved Meeting Minutes for February 4, 2023

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

7. Appointments

- A. Tax Collector Linda Markiewicz Discussion
 - i. In 2013, voters approved warrant article 30 which authorized the Select Board to appoint a Tax Collector pursuant to RSA 669:15-17b. Linda Markiewicz was hired in April of 2013 and continues to serve as Barrington's Appointed Tax Collector.
 - ii. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.
- B. Town Treasurer Peter Royce Discussion
 - i. In 2012, voters approved warrant article 13 which authorized the Select Board to appoint a Town Treasurer. Prior to 2012, Peter Royce was an elected Treasurer and he has been the appointed treasurer since 2012. Per RSA 41:27 and RSA 41:26-e, the Treasurer needs to be appointed each year prior to Town Meeting.
 - ii. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.



- C. Deputy Town Treasurer Tiffany Caudle Discussion
 - i. In 2021, the Municipal Office Administrator, Tiffany Caudle, was appointed as Deputy Treasurer in response to an audit recommendation. The Town had not been able to maintain a citizen volunteer as Deputy Treasurer, which consistently resulted in having only one authorized signatory on the Town's accounts. Having a staff member serve as Deputy Treasurer fulfills the Town's continuity of operations objectives.
 - ii. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.

D. Library Trustees

- i. Melanie Haley Discussion
 - 1. See attached, 20230221 Appointment Library Haley
 - 2. Ms. Haley is currently a Library Trustee Alternate and would like to be reappointed. An alternate appointment with a term expiring in 2024 is proposed.
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.

E. Conservation Commission

- i. Anne Melvin Discussion
 - 1. See attached, 20230207 Appointment ConsCom-TL Melvin
 - 2. Ms. Melvin is currently a Conservation Commission Alternate and would like to be reappointed. An alternate appointment with a term expiring in 2026 is proposed.
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.
- ii. Daniel Cassidy Discussion
 - 1. See attached, 20230208 Appointment ConsCom Cassidy
 - 2. Mr. Cassidy is currently a Conservation Commission member and would like to be reappointed. A full appointment with a term expiring in 2026 is proposed.
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.

iii. Scott Heron - Discussion

- 1. See attached, 20230216 Appointment ConsCom-Heron
- 2. Mr. Heron is currently a Conservation Commission Alternate and would like to be reappointed. An alternate appointment with a term expiring in 2026 is proposed.
- 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.

iv. Jack Gale - Discussion

- 1. See attached, 20230210 Appointment ConsCom Gale
- 2. Mr. Gale is currently a Conservation Commission member and would like to be reappointed. A full appointment with a term expiring in 2026 is proposed.
- 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.



F. Recreation Commission

- i. Brian Collopy Discussion
 - 1. See attached, 20230130 Appointment Rec-Collopy
 - 2. Mr. Collopy has attended a recent Recreation Commission meeting and is has been recommended for appointment. A full appointment with a term expiring in 2026 is proposed.
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.

G. Strafford Regional Planning Commission

- i. Matthew Towne Discussion
 - 1. See attached, 20230105 Appointment SRPC MTowne
 - 2. Mr. Towne has expressed interest in joining the Strafford Regional Planning Commission. Currently John Huckins' term expires in July of 2023. Mr. Huckins has expressed a willingness to resign and allow an interested resident serve in his place. A full appointment with a term expiring in 2027 is proposed (SRPS is a four-year term).
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.

H. Planning Board

- i. Bob Tessier Discussion
 - 1. See attached, 20230115 Planning Tessier
 - 2. Mr. Tessier is currently a Planning Board member and would like to be reappointed. A full appointment with a term expiring in 2026 is proposed.
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.
- ii. Robert "Buddy" Hackett Discussion
 - 1. See attached, <u>20230209 Appointment PB-Hackett</u>
 - 2. Mr. Hackett is currently a Planning Board member and would like to be reappointed. A full appointment with a term expiring in 2026 is proposed.
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.
- I. Transfer Station and Recycling Center Review Committee
 - i. Deborah Clough Transfer Station and Recycling Center Review Committee Discussion
 - 1. See attached, 20230112 AppointmentApp TSRC DClough
 - 2. Ms. Clough is interested in joining the Transfer Station and Recycling Center Review Committee. A full appointment with a term expiring in 2026 is proposed.
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.



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- ii. Mona LaPierre Discussion
 - 1. See attached, 20230209 Appointment TSRCC LaPierre
 - 2. Ms. LaPierre is interested in joining the Transfer Station and Recycling Center Review Committee. A full appointment with a term expiring in 2026 is proposed.
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.
- J. Zoning Board of Adjustment
 - i. Andre Laprade Discussion
 - 1. See attached, 20230210 Appointment ZBA Laprade
 - 2. Mr. Laprade is currently a Zoning Board alternate and would like to be reappointed. An alternate appointment with a term expiring in 2026 is proposed.
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.
 - ii. Alexandra Simocko Discussion
 - 1. See attached, 20230202 Appointment ZBA-Simocko
 - 2. Ms. Simocko is interested in joining the Zoning Board of Adjustment. A full appointment with a term expiring in 2026 is proposed.
 - 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the March 6, 2023 meeting.
- 8. Staff Report
 - A. Administrator MacIver
 - i. February Work Anniversaries
 - 1. Tyler Currier Police Sergeant 4 Years
 - 2. Daniel Brooks Deputy Police Chief 3 Years
 - 3. James Jennison Deputy Building Inspector 1 Year
 - ii. 2023 Ballot Session Information
 - 1. Complete information regarding the 2023 Warrant to be voted on at the Ballot Session on March 14, 2023 is available at: www.barrington.nh.gov/2023warrant. Additional information is also available at:
 - a. www.barrington.nh.gov/2023VoterGuide
 - b. www.barrington.nh.gov/2023budget
 - c. www.barrington.nh.gov/tif
 - d. www.barrington.nh.gov/2022PoliceNegotiations
 - e. www.barrington.nh.gov/fiber
 - f. www.barrington.nh.gov/2023noiseupdate
 - g. 2023 Candidate Forum Video
 - h. Absentee Ballot Request
 - 2. We have taken many steps to make information available to residents regarding the upcoming vote, including the following:
 - a. 2023 Town Meeting Voter Guide
 - b. Blue election-style VOTE signs at strategic locations around Town.
 - c. Informational Postcard which will hit mailboxes the week of 2/27.



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- d. A sign to be installed adjacent to Community Way, letting residents know that the Town Center is on the ballot, Article 9.
- e. We are mailing letters to the business owners in the proposed TIF District providing information and a line of communication to ensure they understand what is being proposed.
- 3. The Select Board is asked to communicate to the Chair when they are available to assist on voting day. Gaps will be filled by pro-tem appointments. A schedule will be prepared and available at the polling place for inspection by the Secretary of State's Office.

iii. 2023 Kids Voting Booth

1. We are excited to share that we have planned a kids voting booth to take place on the cafeteria stage. The goal is something fun and civic-oriented for the kids and hopefully if the kids are excited enough it will improve voter turnout. The ballot will include allowing the kids to decide the color of next year's dog registration tag, naming the new Highway truck and naming the new Recreation van. Adults should pay attention on social media to suggest names for the kids to choose from on their ballot. Parents are encouraged to bring their children and children are encouraged to bring their parents!

iv. Select Board Reorganization

- According to Section 1 (d) of the Select Board Rules of Procedures (ELECTION OF OFFICERS):
 - a. i) Procedures for electing officers are as follows:
 - i. (1) Annually, at the first meeting of the Select Board after Town elections, the members thereof shall choose, from among their number, a Chair and a Vice Chair.
 - ii. (2) In addition to the powers conferred upon the Chair and the Vice Chair, he/she shall continue to have all the rights, privileges and immunities of a Board Member.
 - iii. (3) The above election shall be by a majority vote of the Select Board. During the year the Board by majority vote may change the officers.
- 2. The Select Board is asked to be prepared to elect officers at the March 20, 2023 meeting.

v. Select Board Committee Assignments

- 1. The Select Board Chair is tasked with making committee assignments for Select Board members.
- 2. The following boards, committees, and commissions are available for Select Board representation:
 - a. Planning Board, Library Trustees, Conservation Commission, Recreation Commission, School Board, Advisory Budget Committee, Zoning Board of



Adjustment, Technology Committee, Trails Committee, Town Lands Committee, Transfer Station and Recycling Center Review Committee, and Energy Committee.

- 3. The Select Board is asked to consider which assignments they may be interested in and be prepared to communicate that to the Chair elected at the March 20, 2023 meeting. The Chair will be asked to make committee assignments at the April 10, 2023 meeting.
- B. Municipal Office Administrator Caudle

9. Old Business

- A. Road Naming Request Gooseneck Lane to Sergeant Way Discussion
 - i. At the January 23, 2023 meeting, the Select Board discussed a request to rename Gooseneck Lane to Sergeant Way in honor of Jesse Sherrill. At that meeting, the Select Board asked that the residents of Gooseneck Lane be anonymously polled to aid in the Select Board's decision making.
 - ii. On February 7, 2023 we mailed letters with stamped return envelopes to the 18 residents of Gooseneck Lane, asking for their input for further consideration at the February 27th Select Board meeting. We received twelve responses: nine in support and three in opposition. The written comments are available for Select Board review.
 - iii. The Select Board is asked to consider how to proceed.

10. New Business

- A. Community Center Grant Opportunities Discussion
 - i. The community conversations regarding the Town Center and a new library proposal have facilitated discussion about a Community Center. At a high level, residents have consistently indicated that they want a municipal presence in the Town Center. Additionally, they have said they want a gathering place which offers programs for children, families, adults, and seniors. As a 'community's living room', the library addresses those wants. Additionally, multi-use programming space, recreational space, etc. could encompass a Community Center. I believe it is worth using this vision of a Community Center in Barrington's Town Center to solicit grant funds.
 - ii. I would propose the following as the basis for grant applications:
 - 1. Barrington Needs a Community Center
 - a. Barrington (pop. 9,444) is a large town that has been able to maintain its rural character. It boasts, thousands of acres of conservation property, over 30 miles of established trails, and abundant natural resources; all in New Hampshire's seacoast region. As the population has grown, the need for an established community gathering place or Town Center emerged. The vision of a quaint Town Center which consolidates development and balances commercial, civic use, and open space has been widely and consistently supported. This Town Center, a district formally established through ordinances adopted in 2008, is designed to meet the need for a central gathering place. An anchor of the Town Center plan is a municipal Community Center. A municipal anchor creates tremendous



economic opportunity for the development and redevelopment of property in the Town Center. In the shadow of the recent pandemic and our digital world, Barrington's residents recognize the need for community gathering places. The demand for community programs for children, families, adults, and seniors exceeds what is possible at our present library and recreation facilities. The Barrington Community Center would house a new public library and provide abundant programming and meeting spaces to augment what is currently available at our recreation facility. The current library space of 3,740 sq. ft. is not ADA accessible and is inadequate to meet the needs of a population of nearly 10,000 residents. The time is now; residents will vote next month on the establishment of a Tax Increment Financing District to move the Town Center vision forward. A grant would be combined with private donations, TIF district funds, and a municipal bond to permanently establish a Community Center in the economic center of Barrington.

- iii. Grant opportunities could include the FY24 Community Project Funds, the CDFA Community Center grant, etc.
- iv. The Select Board is asked to consider authorizing the proposed approach to securing grant funds for a Community Center in Barrington's Town Center.

B. Ground Maintenance and Mowing – Discussion

- i. In September, the School notified the Town that they could no longer provide facilities support. At that time, they expected to be able to continue providing grounds maintenance and mowing. Citing staffing concerns, the School recently notified the Town that they would only be able to provide grounds maintenance and mowing for the cemetery (under the existing contract with the Cemetery Trustees). The primary grounds maintenance and mowing needs which the Town is now responsible for include the Recreation fields, the Town Hall, the Public Safety Building, and the capped landfill (subject to a State-mandated maintenance schedule).
- ii. Staff recently met to evaluate a solution to ensure proper grounds maintenance and mowing for this upcoming year and years to come. We are disadvantaged by the fact that the budget is already set, and we have limited opportunities for any additional staffing or equipment. This reality rules out some options for the upcoming year. We believe we can utilize existing staff in the Highway Department to meet the minimum needs for the upcoming year. This would prevent additional expenditures for an outside contractor or additional staff (which may become necessary in the future).
- iii. Even by making staffing available, the Town does not have grounds maintenance equipment, most specifically a lawn mower. The Working Facilities Manager solicited three quotes for a mower and the cost would be about \$9,000. This is not a budgeted expense. In the absence of many alternatives, the Select Board could authorize utilizing the Incident Fund, ARPA funds, or the NHRS rebate account (~\$20,000) to make this unanticipated purchase.
- iv. The Select Board is asked to consider what additional information they would need to consider purchasing the necessary equipment to perform grounds maintenance and mowing activities on Town properties.

- 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. Personnel

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

- 14. Adjournment
 - A. Upcoming Meetings
 - i. March 6, 2023 March 20, 2023 April 10, 2023 April 24, 2023 May 8, 2023
 - B. Upcoming Events
 - i. 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
 - o New Town Hall Meeting Room
 - o 4 Signature Drive, Barrington, NH 03825

Remote Meeting Participation

o Video: <u>barrington.nh.gov/sbmeeting</u>

o Call: +1 603-664-0240 (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/TA20230227. 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 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.