



TOWN OF BARRINGTON

NEW HAMPSHIRE

Office of the Town Administrator

Town Administrator Report

April 29, 2024 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**
[April 29, 2024 Select Board Agenda](#)
 - A. Select Board/Town Administrator
Make a motion to approve the April 29, 2024 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 has appointed Carrie Neill and Rick Walker to serve as liaisons to the Select Board. At each meeting they will be invited to discuss topics of their choice with the Select Board.
6. Consent Agenda (requires unanimous approval) – **Vote**
Make a motion to approve the April 29, 2024 consent agenda (A-B) as presented.
 - A. New Requests for Signature
 - i. Accounts Payable Manifest 2024-218
 - ii. Payroll Manifest 2024-117
 - iii. Private Road Agreement for Map 126 Lot 21
 - iv. Private Road Agreement for Map 241 Lot 2
 - v. Oath of Office for Transfer Station & Recycling Center Committee – Doug Winter
 - vi. Oath of Office for Transfer Station & Recycling Center Committee Alternate – Mona LaPierre
 - vii. Oath of Office for Transfer Station & Recycling Center Committee – Peter Royce
 - viii. Oath of Office for Transfer Station & Recycling Center Committee – Robert Lenzi
 - ix. Oath of Office for Library Trustee Alternate – Karen Towne
 - x. Oath of Office for Energy Committee – Paul Panish
 - xi. Oath of Office for Energy Committee – Doug Bogen
 - xii. Land Use Change Tax & Warrant for Map 216 Lot 1
 - xiii. Land Use Change Tax & Warrant for Map 216 Lot 1-1
 - xiv. Land Use Change Tax & Warrant for Map 216 Lot 1-2
 - xv. Land Use Change Tax & Warrant for Map 216 Lot 37
 - xvi. Current Use Assessment for Map 213 Lot 18, Map 216 Lot 28, & Map 216 Lot 33
 - xvii. Administrative Abatement for Map 115 Lot 5



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- xviii. Administrative Abatement for Map 126 Lot 30
 - xix. Administrative Abatement for Map 250 Lot 56
 - xx. Revised Administrative Abatement for Map 21 Lot U
- Make a motion to authorize and sign the above-referenced documents (i-xx).*

B. Appointments (Discussed at the April 22, 2024 Meeting)

i. Recreation Commission – Matt Mooers

- 1. Mr. Mooers currently serves as a full member of the Recreation Commission and is seeking reappointments. A full appointment with a term ending in 2027 is proposed.
- 2. Pursuant to the Select Board's Appointment Procedure, this appointment was presented for discussion at the April 22, 2024 meeting.
Make a motion to appoint Matt Mooers as a full member of the Recreation Commission with a term ending March 31, 2027.

ii. Conservation Commission – Steve Hobbs

- 1. Mr. Hobbs is a resident of Barrington and is interested in serving on the Conservation Commission. He has spoken with former Chair Grossman about the Commission.
- 2. Pursuant to the Select Board's Appointment Procedure, this appointment was presented for discussion at the April 22, 2024 meeting.
Make a motion to appoint as an alternate member of the Conservation Commission with a term ending March 31, 2027.

7. Appointments

A. Planning Board Alternate

i. Scott Shepard – Discussion

- 1. See attached, [20240408_AppointApp_PB-SShepard](#)
- 2. Mr. Shepard is interested in joining the Planning Board as an alternate. He has spoken with the Town Planner and the Planning Board Chair. An alternate appointment with a term expiring in 2027 is proposed.
- 3. Pursuant to the Select Board's Appointment Procedure, this application will be presented for a vote at the May 13, 2024 meeting.

B. Town Center Tax Increment Financing District Advisory Board

- i. The Town was fortunate enough to receive seven applications for four seats on the Advisory Board. The applicants have diverse backgrounds including commercial, recreational, strategic planning, architectural, municipal operations, and educational. The Select Board is asked to review the applications and discuss a process to determine full and alternate appointments at the May 13, 2024 meeting.
- ii. Applicants
 - 1. Garth Svenson
 - a. See attached, [20240415_AppointApp_TIF-GSvenson](#)
 - 2. Fredrik Testor
 - a. See attached, [20240419_AppointApp_TIF-FTestor](#)
 - 3. Jessie Bennett



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- a. See attached, [20240423 AppointApp TIF-JBennett](#)
4. Jake Roger
 - a. See attached, [20240422 AppointApp TIF-JRoger](#)
5. Jeffrey Estes
 - a. See attached, [20240423 AppointApp TIF-JEstes](#)
6. Matt Mooers
 - a. See attached, [20240423 AppointApp TIF-MMooers](#)
7. Scott Shepard
 - a. See attached, [20240413 AppointApp TIF-SShepard](#)

C. Advisory Budget Committee Vacancies

- i. The Advisory Budget Committee has two vacancies to be filled ahead of the 2025 budget development process. Fortunately, we already have at least one application for a full member and one application for reappointment as an alternate. The Select Board is asked to consider soliciting applications through June 5, 2024 to be reviewed for discussion at the June 10, 2024 meeting and decision at the July 8, 2024 meeting.

8. Staff Report

A. Administrator MacIver

i. April Work Anniversaries

1. George Joy • Police Chief • 25 Years
2. John Boodey • Firefighter/EMT • 21 Years
3. Debra Griffin • Town Clerk Assistant • 13 Years
4. Linda Markiewicz • Tax Collector • 11 Years
5. Chris Eldridge • Firefighter/EMT • 11 Years
6. David Kinnison • Firefighter/EMT • 8 Years
7. Cody Guile • Firefighter/EMT • 5 Years
8. Henry Reznicek • Police Officer • 3 Years
9. Adam Cook • Highway Crew • 2 Years
10. David Scholtz • Highway Crew • 2 Years
11. David Levesque Jr. • Firefighter/EMT • 2 Years
12. Casey Couch • Firefighter/EMT • 2 Years
13. Alan Clement • Firefighter/EMT • 1 Year
14. Elizabeth Bolton • Library Director • 1 Year

ii. First Quarter Financial Analysis

1. See attached, [2024 First Quarter Financial Analysis 20240424](#)

iii. Training Opportunities

1. [Local Officials Workshop](#) – In-Person/Virtual – 25 Triangle Park Drive, Concord
 - a. May 7, 2024 – 9:00am to 4:00pm
2. May 9, 2024 – [A Hard Road to Travel Workshop](#)
 - a. 9:00am to 1:30pm In-Person (25 Triangle Park Drive, Concord, NH) or Virtual
3. October 30 and 31, 2024 – New Hampshire Municipal Association Annual Conference – Manchester



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B. Municipal Office Administrator Caudle

9. Old Business

A. Acquisition of Town Center Lot, Map 239, Lot 7 per RSA 41:14-a for Map Town Center – **Vote**

- i. See attached, [239-0007 - RSA 41-14-a Notice with Attachments and Recommendations](#)
- ii. Recommended by the Conservation Commission at the March 14, 2024 meeting.
- iii. Recommended by the Planning Board at the March 19, 2024 meeting.
- iv. Public Comment (see Visitor Orientation below)
- v. The first public hearing was held on April 8, 2024 and the second public hearing was held on April 29, 2024.

Make a motion to acquire Map 239, Lot 7 under the terms presented per RSA 41:14-a, as approved by voters on March 12, 2024, recommended by the Conservation Commission on March 14, 2024, and recommended by the Planning Board on March 19, 2024.

B. Ayers Lake Boat Launch Design – **Vote**

- i. In May of 2022, the Ayers Lake Association and Conservation Commission expressed concern regarding the condition and maintenance of this lake access point.
 1. See attached, [Ayers Lake Association Request 20220516](#)
 2. See attached, [Conservation Commission Letter - Ayers Lake 20220516](#)
- ii. Among other suggestions, the groups advocated for a formally established launching area consistent with the provisions governing State-controlled boat launches (RSA 233-A). As they explained, this could help address the erosion and stormwater runoff concerns.
- iii. In June of 2022, the Road Agent took steps to address the itemized concerns. He also acknowledged the limits of his department's efforts without a more substantial reconstruction of this lake access area.
 1. See attached, [Road Agent Memo RE Daniel Cater Road and Ayers Lake](#)
- iv. At the May 8, 2023 meeting, the Select Board supported the pursuit of the [municipal boat launch investment program](#). This grant would provide up to \$100,000 in funding, with a 25% match requirement, for municipal boat launch projects in the State. The Ayers Lake boat access on Daniel Cater Road was identified as an appropriate site for this grant program.
- v. At the October 2, 2023 meeting, the Select Board authorized up to \$33,333 from the 2023 Incident Fund as the 25% match for the Ayers Lake Boat Launch project.
- vi. At the October 16, 2023 meeting, the Select Board held a public hearing pursuant to [RSA 31:95-b](#) to formally accept the \$100,000 state grant.
- vii. Over the winter the Town's engineers (CMA Engineers) surveyed the site and prepared a design proposal which was recently completed.
- viii. At the April 22, 2024 meeting, the Select Board reviewed a draft design of the boat launch.
- ix. See attached, [1205.32-Ayer's Lake 2024 04 11](#)
- x. At that meeting, the Select Board heard questions and concerns from the Ayers Lake community and abutters about the proposed design. Central to the concerns were the introduction of invasive species. It was acknowledged that the Select Board, in pursuing this grant proposal, did not expect that all risks would be completely mitigated given the site constraints. As an existing boat launching area the risk of invasives already exists and access cannot legally be blocked (per State law). The Town has worked to help manage



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the risk at the Daniel Cater Road access through education (signage and supporting the Conservation Commission's lake association conference) and a willingness to support the Lake Association's grant application to the Lake Host program which provides funding for lake access monitoring. Improving the launching site is largely focused on improving the erosion and environmental impacts of an unimproved lake access. Formalizing the site may allow better opportunities to educate users and promote compliance with existing laws related to invasive species.

- xi. See attached, [Ayers Lake Association Comments on Draft Plans 20240422](#)
- xii. As previously discussed, this scope includes clearing and widening along Daniel Cater Road, the installation of a concrete-planked boat ramp, and a dock (including an assisted-kayak-launching station). The clearing and road widening would be performed by the Highway Department, the ramp would be installed by a subcontractor, and the dock would be installed by the dock company. The Highway Department work will count towards in-kind contributions and reduce the amount of cash match required.
- xiii. **Note: Additional information to be added to this report on Friday, April 26th including:**
 - 1. The Conservation Commission met on April 25, 2024 and discussed the project. They considered project as a whole and whether or not to sign the Permit by Notification (PBN) which would reduce the 25-day permitting period. The group voted 4-1 to NOT sign the PBN and expressed the following concerns. They felt that 12' was too large, there were inadequate plans for permanent erosion control, parking problems would increase, and there were inadequate plans to address invasive species.
 - 2. The Town and its engineering consultant (CMA Engineers) have worked with the New Hampshire Department of Environmental Services (NHDES) throughout this project. On Friday, April 26, 2024 a formal preapplication meeting was held which gave NHDES an opportunity to review the project plans as designed. They were happy with the design and offered productive feedback about some of the concerns discussed at the April 22, 2024 Select Board meeting. Generally, they felt the proposed project improved public access and reduced certain environmental impacts such as turbidity which is a water quality issue. Regarding regulatory compliance for the ramp, since it is existing and improvements are proposed, it is not subject to any setback requirements. They recommended Option 1 for the dock in order to avoid setback issues with the abutting property. NHDES was very helpful in evaluating the options for roadside clearing. They acknowledged that this aspect of the project does not require permitting, but the Town welcomed their input. Based on these conversations and feedback from the Conservation Commission and Ayers Lake Association, the vegetation management plan will include annual mowing/cutbacks, especially on the roadside, while maintaining some vegetation on the lake side. The trees would be removed and stumps ground. This is expected to maintain a vegetative buffer, but in a way which allows the full use of Daniel Cater Road for travel and parking. NHDES reviewed the permit by notification process and expects to provide a timely review for the permit once submitted.
 - 3. [RSA 271:20-a](#) says (in part), "no barriers or other impediments shall exist in the roads and ways leading to any of the public waters." Legal guidance has advised



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that this statute prevents the Town from closing this access site to Ayers Lake (a 'public water'). At the April 22, 2024 meeting, the question was raised if designing the access ramp to 4'-6' wide (versus the current ~12' access) would violate the statute. The Town's attorney does not believe that a smaller ramp would be a direct violation of the statute as long as the public still has access for recreational purposes. Unfortunately, there is no case law for RSA 271:20-a and a review of legislative archives from 1990 does not make legislative intent clear. The Town's attorney recommended consulting the Governor's Office for Emergency Relief and Recovery (GOFERR) on this topic for two reasons. First, as the granting agency, they should have an opportunity to weigh in on any real or perceived concerns with State statutes. Second, as the grant program is a 'Municipal Boat Launch Investment Program', preventing the launch of trailered boats may disqualify grant funds. GOFERR has in-house legal counsel and a call is scheduled on Monday, April 29, 2024 to discuss further. Updates will be available at the meeting.

4. Additionally, there is a meeting scheduled with the Camp Fireside Executive Director on Monday, April 29, 2024 to discuss parking, abutter setbacks, and other concerns.
- xiv. The Select Board is asked to review and discuss the plans prior to the engineers finalizing and preparing bid documents for the ramp installation.

10. New Business

11. Select Board Member Reports and Concerns

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

12. Public Comment (see Visitor Orientation below)

13. Nonpublic Session (if required)

14. Adjournment

A. Upcoming Meetings

- i. May 13, 2024 • June 10, 2024 • July 8, 2024 • August 12, 2024 • September 9, 2024



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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
 - 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/TA20240429. Please contact the Town Hall Administrative Office 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 with 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.