

Appointments:

Bob Ott: I recommend that if the Board allows access to the building by the Bob Ott's architect the following conditions be attached: 1. The person must be a registered architect belonging to the American Institute of Architects (AIA) licensed to practice in New Hampshire; 2. The Town Administrator or his designee accompany the person; 3. The report shall consist of sufficient detail to be examined by our architect for completeness (not just a dollar amount). I also believe we need to clarify who the space is being developed for (SAU, meeting rooms, record storage and Town Offices)

Renewal of contract with Cocheco Valley Humane Society: The town has paid the annual fee at the same rate as last year for use of this facility, but they had failed to bring us a contract until now. ***Will the Board approve the contract and authorize either Mike Clark or John Scruton to sign it?***

Budget Schedule: We only have two members on the Advisory Budget Committee (ABC) (George and Tony). I am developing the budget schedule for the fall. I expect that the overall budget presentation to the Board of Selectmen will be October 7 with individual department presentations to the Board of Selectmen October 21, 28(there is no Selectmen meeting scheduled for October 14. I will not be available October 14 or 21): November 4, 11(Veteran's Day but on the schedule for now), and 18. I encourage the ABC members to attend to hear the presentation so the meeting with the ABC is answering questions that were not answered the prior night. I would hope that at the November 25 meeting, or at the latest the December 2 meeting, the ABC would present their comments on the budget to the Board of Selectmen so the Board could finalize their budget by December 16 for posting for hearings in January 2014. I will not be available October 14 or 21. ***Are there suggestions for filling the vacant slots? Does this schedule work for the Board of Selectmen?***

Purchase and Sales Svenson: Obviously the summary (at the end of this report) is not the final form, but these are some of the items I suggest are included in the Purchase and Sales Agreement. ***What does the Board think about the items in my draft?***

Sign Hansonville Road: We have the following request from George Welch; “I would like to know what it would take to have two signs installed. The city of Rochester has placed signs on Hansonville road in Rochester saying NO TRUCKS OVER 26000 GVWR . Since the placement of these signs I have noticed several trucks heading down Hansonville Road from Greenhill Road and when they reach the Rochester town line they now turn around and head back toward Greenhill road. It would be a good thing if we were to place signs like Rochester to prevent us from being a dead end road for trucks and future accidents that could result from the turning trucks.” ***Would the Board like to post the road like Rochester?***

Proposed ordinance Town Meeting: A request has been made that the town adopt an ordinance under RSA 31:39 to prohibit the public nuisance of domestic farm animals being allowed to roam in public places including a road. One Orchard Hill resident noted he saw the owner of domestic animals placing feed in the road to keep the animals there. There would be a fine of up to a \$1,000, enforced by the courts. Here is a proposed draft borrowed in large part from Greenland.

DEFINITIONS: Animal: All domestic and non-human animals owned by a person, partnership, LLC, corporation or other entity. The term animal, where it occurs in this ordinance, shall include, but not be limited to cattle, bovines, swine, sheep, goats, poultry, waterfowl, as well as domesticated strains of buffalo or bison, llamas, alpacas, emus, ostriches, yaks, elk, fallow deer, red deer and reindeer, equines and canines.

Running at Large: The above referenced animal(s) in which: trespass onto property of another, town roads/streets (regardless if maintained by the Town of Barrington or the State of New Hampshire), public property or lands, highways or other areas not owned by the animal(s) owner.

1. Permitting animals(s) to run at large:

(a) It shall be unlawful for the owner of any animal to knowingly, voluntarily, negligently or willfully permit any such animal to run at large

in the Town of Barrington wither upon the premises of another or upon the public lands, highways, roads or streets (whether maintained by the State of New Hampshire or Town of Barrington).

(b) Nothing in this section or elsewhere in this ordinance shall it be construed to make it unlawful to run animals at large on the premises of another when the owner or person in charge of the premises has consented in writing to allow the animal(s) onto his/her property. The animals must be contained to the consenting person's property only, in order to mitigate penalties of this ordinance.

2.Owner of animal(s) liability from resulting damage:

(a) The owner of such animal running at large, shall be liable for any and all damages done to crops, lawns, trees, ornamental shrubs, flowers or any other property belonging to any person. Damages are to be recovered through any court of competent jurisdiction. The owner of any animal may be held liable for any damages to any motor vehicle or any occupant thereof suffered, caused by or resulting from a collision with such stock or other animal, if it is proven that such owner knowingly or willfully or negligently allowed such animal upon such public highway, road or street where such damages were occasioned.

3.Recovery of animal(S) by owner:

(a) The Owner of the recovered animal(s) shall be responsible for any pick-up, boarding, medical or sustenance provided by the animal shelter caring for such animals in the event that the animals are recovered by any approved organization such as the Society to Prevent Cruelty to Animals (SPCA). In this instance, the Town of Barrington, shall not be held liable for charges or damages.

Civil Penalty: A monetary fine of up to \$1000.00 may be imposed for such infractions of this ordinance by the court.

Tamposi Well: A very deep well was drilled the Tamposi Conservation land, apparently as part of an oil exploration project. Kernan Brandon at NH Dept of Environmental Services would like to do some temperature sampling of this as part of a survey they are doing around the state. NHDES wrote: If the Selectmen grant us access, we would need to access the well from the Hall Road end of Tibbets Road, which is gated. In order to get into the well, we will also need to cut the welded cap off it but would replace it with a modern bolt on style cap. (They later indicated they would use a locking cover. An example of how this data is used and presented can be found here: http://pubs.usgs.gov/ds/728/pdf/ds728_report_508.pdf. This report is based upon field work done last summer in support of National Geothermal Data System project (<http://www.stategeothermaldata.org/>). Other than getting to the well and removing the cap, the testing is non-destructive and the impacts to the site would be negligible. ***Does the Board have any objection?***

Trust Fund Water Research: I spoke with Ed Lemos and Steve Conklin. Steve indicated there had been a town meeting vote to allow the establishment of a water district. Then several years ago there was concern with the potential water withdrawals occurring with Rochester and Portsmouth for their systems and the potential development of USA Springs. The thinking on the Board of Selectmen and the Water Committee at that time was to find areas where wellhead protection zones could be established. One thought was on land associated with the Tamposi lot, but the plan was to look at the entire town to see where there might be water resources. Another thought was drilling wells to pump water into the Portsmouth Reservoir charging them for the water. There was also concern with all the subsurface septic disposal that contamination might occur and there be a future need for a water system. The interest on the Board dropped off and it never went forward. Ed Lemos indicated there was also thought about this being a system that would benefit the town center and allow more intense development. He thought RKG might have been involved in this concept. It appears an engineer was never engaged and with the financial problems at USA Springs the issue of water retreated off the stage. I would

suggest we leave the fund in place so that the option of research on water resources could occur if a target area is determined based upon factors that are not apparent at this time, but given the cost of laying waterlines, no work be done until the location of the usage be determined. ***What does the Board wish to do?***

Moving Antenna and Asbestos: I believe we should rethink our plan on moving the antenna and removing the asbestos from the Old Town Hall. If demolishing the Town Hall is delayed long enough we might piggyback onto the County project helping us out on the tower. It is also possible we might rethink timing of demolition of the building or even rethink proceeding with renovation depending on town meeting votes. ***Should we proceed with plans for moving the antenna from the old Town Hall? Should we proceed with the asbestos removal?***

MS 4 (Revenue estimate for setting taxes: I will make some adjustments based upon actual collection to date and expected revenue as follows: Decrease in estimate for Motor vehicles \$100,000, Interest and penalties delinquent taxes \$25,000, and sale of property \$8,600. This is partially offset by increase in estimate for timber tax of \$10,000, Building Permits of \$30,000, other licenses of \$10,600 and general other of \$2,000. Net decrease in revenue (not counting changes at state level which is not known) is \$81,000 or about 9 cents on the tax rate.

Information:

Public Works: We have had a second resignation from the truck/driver laborers at DPW. This brings us down to five in that position. We are looking to find a foreman, looking first among current employees. If not, then we would plan to hire one from outside the department. While we can contract plowing, leaving the position unfilled will reduce the amount that of year round work done on roads, ditches, culverts, etc..

Calef Land: Article #9 March 2000 by petition for \$220,000 to purchase the Calef land was not recommended by the Board of Selectmen, raised it from general taxation, and failed 468-681

Article # 31 March 2001 requested \$75,000 from general taxation while authorized expending \$220,000 for the purchase, it was nonlapsing to 2006, indicated the balance would come from private donations and grants (At the deliberative session LCHIP was discussed). It was recommended by the Board of Selectmen. It passed.

Article #7 March 2002 requested \$130,000 net from general taxation, included \$11,000 in private donations with a total purchase price of \$216,000 (total requested \$141,000 to go with \$75,000 from prior year). It was not recommended by the Board of Selectmen and failed 938-1083.

Recommendation on Warrant Article(in answer to a question): Chris Fillmore at NHMA indicates there is no prohibition to abstaining on the recommendation for a warrant article for Town Meeting and there is a saving provision related to any perceived defects. RSA 32:5 V (c) "Defects or deficiencies in these notations shall not affect the legal validity of any appropriation otherwise lawfully made"

Bull's Gap: The Board had wanted to look at options regarding the piece of property that we tax deeded from Bull's Gap, however the only option was to offer it back to Bull's Gap at a statutorily determined price (just under \$10,000) based on interest, back taxes at time of deeding, taxes since then and a 15% premium based on current assessment. We indicated that to them. They have until November to make a decision, after which the Board is not forced to sell it back to them.

Park and Ride: The card for the property for the Park and Ride does not indicate any kind of property tax break for allowing the use of a park and ride.

NHDOT: I have talked with NHDOT to encourage them looking at the other suggested options for the Park and Ride and they will do so. NHDOT is also talking with us about moving New Town Road using one of their grant sources.

Suggestions Purchase and Sales with Svenson:

1. Location and size of parcel (To be determined in greater detail after preliminary work)
2. Location of road between two homes currently on Route 9
3. No cost for compensation
4. Agreement to authorize the Town to proceed with subdivision approval, lot line adjustments, and site review and to grant the Town access and the right to investigate the site.
5. As a condition of the transfer of the land, the Town commits to either build the required road or secure its construction with a bond.
6. Deadlines:
 - a. If in 2014 the warrant article to authorize acquiring land and spending money to acquire property fails then the P&S ends with no liability to either party
 - b. Within 90 days following whichever comes last of the following, the Town will acquire the land:
 - i. Town Meeting approval of funds to construct a building upon the site by Town Meeting 2015;
 - ii. Subdivision approval including all state permits;
 - iii. NHDOT approval of the entrance onto Route 9; and
 - iv. Road completion or a bond for completion of the road.
7. If Board of Selectmen does not proceed to complete the transaction, all permits, designs, approvals and improvements up to that date will be available to the Svensons but not the bond if the road has not been built. There will be no further penalty upon the town for not proceeding to complete the transaction.
8. Recording of P&S or of its existence at the Registry of Deeds.