

Public Hearing to amend Pole Licenses: Our attorney defending our assessment on Fairpoint is recommending we amend all pole licenses in the community to accurately reflect the town's ownership of the Right of Way and the fact the poles are licensed subject to the tax language in the law. Notice has been given.

I propose the following: First there would be discussion of the situation in which Town Administrator presents the issue. It would be opened to the public for comment. Assuming the Board agrees, I would propose the following motion after the discussion should state as follows, after your usual introductory language: "declare that all outstanding pole licenses issued by or under the authority of the Selectmen of Barrington or its predecessors in office acting under the provisions of RSA 231:161 (b), or its predecessor statutes, are hereby changed to incorporate in each such pole license in effect as of November 5, 2013 and effective as of such date, the following changes by inserting therein the following language:

"In accordance with the requirement of RSA 72:23, I(b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

In accordance with the requirements of RSA 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.

The amendment to all pole licenses set forth in the preceding two paragraphs shall take effect on November 5, 2013, and shall remain in effect until changed in accordance with the provisions of RSA 231:163."

Furthermore that all new licenses shall contain the following language: New Licenses. All new pole licenses issued on or after the effective date of the above amendment, or subsequent amendments of existing pole licenses, should contain the following language:

"In accordance with the requirement of RSA 72:23, I(b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or

occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all property assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

In accordance with the requirements of RSA 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license."

Does the Board wish to make this motion?

Public Hearing to split Current combined Personnel Policy and Safety Plan into two documents, one the Personnel Plan consisting of all the pages up to section III Safety Plan (page 113) and the remainder to become the Barrington Health and Safety Plan as recommended by the Safety Department. Given the deadline the State has for adoption and the fact this has no change in policy, I suggest the Board waive the two weeks delay in implementation and implement immediately. ***What does the Board wish to do?***

Redemption Way: The Development Agreement that the town entered into with Turbocam states Section 4.1 Phase I Time and Place.

Seller (Town) shall deliver to Buyer a Warranty Deed for Lot 3 and the roadway and ...

We have done that and Turbocam has recorded the deed.

Section 5.1 Development Schedule and Requirements.

Buyer shall at its own cost and pursuant to the timetable set forth below construct to Town of Barrington specifications the entire roadway, and driveway stubs at least sixteen feet into/onto each lot, including those retained by Seller. In addition, Buyer shall construct a gravel driveway to the recreation area, not to exceed 400 feet in length. The cost to construct the road/driveways and related improvements to completion shall, at Buyer's expense, be fully secured via a payment/performance bond, an Irrevocable Letter to Credit or such other terms as are acceptable to Seller in its sole discretion. Upon completion, the subdivision road will be accepted as public by the Town of Barrington.

It is not clear what the timing of this acceptance will be, but could reasonably be assumed to mean as soon as it is completed. The subdivision standards state the town can require surety of 20% for 2 years. While general statements are made that it requires waiting two years, I do not find that in writing. The unknown is if a Board of Selectmen in the past had formally adopted such a standard or perhaps it was even in past Zoning/subdivision but has since been changed. We have a private developer who will be interested in the decision.

There is a second problem with Turbocam, namely they have not fully complied with the

development agreement as they have not installed or paved the driveway entrances (other than ones to the building and the Legion) and have not completed all of the gravel road to lot 6 (nor paved its first 16 feet). In fairness Lots 2 (Town), Lot 4 (Town) and lot 5 (Turbocam) on the Northwest side of the road have significant topographical issues in which the driveway location might change and the final level of the lot is yet to be determined by engineering. I believe the driveway to the Legion land is the best location for town access to lot 2 and would not want put in elsewhere until we have more engineering data on what is going to be done with the lot. Just for information, understand that there is a lot of work on the Legion lot including gravel road, two holes I assume to be test pits and other work which seems planned for a lot more than just a flagpole.

If the Board wishes to accept Redemption Way now, but establish a policy of no acceptance in general until after one winter, I suggest the Board adopt the latter as a policy and then waive it and the incompletions for Redemption Way based on the Development Agreement. The Board could also make a general policy on one year plus surety and indicate to Turbocam it will wait for completion of the other items in section 5.1 before accepting the road. ***What does the Board wish to do with Redemption way? What does the Board wish to set as the policy for roads in general?***

Undoing tax deed: Property of D. Wixon was tax deeded. She has since come into the office and indicates she was told by the past Deputy that if she made regular monthly payments that she would not have to worry about losing her place, and that if notices came in the mail that she could ignore them... There is no formal payment plan, however, Deborah has been faithful about making the monthly payments of \$200.00. She now has a disability exemption and her taxes for 2012 and 2013 have drastically dropped so she WILL be able to catch up with her monthly payments. Deborah was given the wrong information, she should have been put on a formal payment plan (which would have been Deed waived). ***Does the Board wish us to work out with the attorney how to undo the deeding?***

Audit: The town audit is complete. The only issue stated of concern has been addressed, which is the tax collector last year did not make timely deposits. ***Would the Board like the auditor to make a presentation?***

Worker's Compensation: There were only two responses to our request for proposal, our current carrier Property Liability Trust (PLT) (formerly a part of LGC) and PRIMEX. First by way of full disclosure I sit on the PRIMEX Board of Directors and have done so for several years. I also sit on the NHMA Board and have done so for several years. NHMA was part of the same LGC LLC, but is now a separate organization from PLT. I do not receive any compensation for either position nor will this decision make any difference on my ability or my inclination to continue to sit on either board. PLT is changing from a calendar to a fiscal year so they offer the first six months at \$40,840 and then the full year from July 2014 to June 2015 at \$89,367. A full calendar year for 2014 would be approximately \$85,523. PRIMEX proposal is \$51,933 for a full calendar year. Both bids meet the other specifications and provide training and support. The PRIMEX unemployment cost is about \$1,000 higher. I recommend the Board go with PRIMEX. This will provide a substantial savings over the \$121,000 budgeted for 2014. If we change in July to PRIMEX property and liability, we could save an additional \$5,193, but we will not know if we wish to change until we go out for proposals late spring. ***Does the Board wish to switch carriers for Unemployment and Workers Compensation?***

Recreation: The Director has a recommendation to the Board for the soon to be vacant Administrative Assistant/Secretary/Bookkeeper position. The MOU with the Recreation Commission indicates the

Board of Selectmen may accept or reject a candidate for this position put forward by the Recreation Commission. Tara will bring the resume and a report on references to the Board meeting. ***Does the Board wish to accept the proposed candidate?***

NHDOT Application for Route 125/Green Hill Road Improvements for Gravel Operation: I recommend the Board of Selectmen sign the application to NHDOT for the improvements but ask staff to hold the proposed application to NHDOT until such time as an indemnification agreement is in place with the owners of the pit. ***Does the Board wish to do so?***

Broadband and Library: A UNH professor wants to test equipment to make broadband more available to the community installing antenna at the library. I would propose we do so with oversight to be sure no damage occurs to the roof. ***Does the Board agree to the testing?***

INFORMATION:

Tax Rate: The rate is up \$1.00 to \$22.46 (4.6%) with the municipal side up \$.25.

Child and Family Services Agency: It has responded with the requested budget information.

Personnel: The person we promoted internally from transfer station for the vacant Highway position did not successfully complete probation. We are advertising for the position as well as for contract plow operators in Fosters.

Orchard Hill: We are looking at possible costs to come up with a solution that could get buy-in by the Browns.

Budget: Government Buildings: When we were preparing the budget, we did not have numbers from Paul Sanders for salary so we put in a number to hold the slot while we worked on the bottom line. We failed to go back and put in the correct number (\$45,026). We have put that number in. It is up 10% from 2013, which is due to properly accounting for the “roll-ups” for Paul (Retirement, FICA, WC, Disability) for which the School bills us.