

Plowing a portion of St. Matthews: While the town is waiting until Spring for a determination that the drainage is to town standards on a short section of this road, does the Town want to start the Emergency Lane Declaration process or since we are going to be close to the end of plow season by the time it is complete just wait until Spring. The ownership of the land has changed. We still have escrow and believe everything is set other than a review of drainage. ***What does the Board wish to do?***

HTA Construction Administration Contract. The Warrant article included the bid price of \$297,345 plus 10% contingency of \$29,735 plus \$20,000 for construction administration. The proposal from HTA is \$22,456. That would reduce the contingency by \$2,456 or the Board could use additional funds from the bridge Capital Reserve. ***Does the Board wish to approve the proposed contract with HTA contingent upon passage of the warrant article passing at Town Meeting?***

Unique Abatement Timeline waiver request: A tree fell on a seasonal house destroying it. There is a provision for abating if there is an application within 60 days. This was not done. It came in with the annual abatement requests. If the Board wishes to waive the time limit we will process the abatement and bring it to the Board. It will be about \$1,000. ***Will the Board waive the time-line failure and ask assessing to develop abatement for this property?***

Land Sale: We have had a request from an abutter to sell a 50 foot wide lot near the end of Long Shore Drive acquired by tax deed. ***Does the Board wish to advertise to sell by sealed bid Map 104 lot 121 near the end of Long Shore Drive with a covenant making it an unbuildable lot?***

Authorization to close Mallego Road from the Post Office to TD Bank on Route 125 for 23rd Annual Greater Barrington Chamber of Commerce Peeper 5-K run/walk May 13th beginning at 8 am to about 10:15 am. We have again had this request, as we have had annually for many years. ***Will the Board again approve?***

EcoPark: John Wallace wrote: "The trails committee, with the approval of the conservations commission, would like to post the woods road entrance to the EcoPark property (the one with access on Pierce Rd abutting SATWaSR) against wheeled motorized vehicles." My only concern is that the town and its contractor may be shortly using that for access on the development of the 7 acre parcel. I would suggest it be "Unauthorized" wheeled motorized vehicle access. ***What does the Board wish to do?***

Fire Department: A full time Fire Department employee has left. The Chief wants to be able to tell prospective employees what the schedule will be, but it is dependent upon items in the proposed budget. It is hard to advertise and proceed without that information. The default budget and the proposed budget are close and the default is the minimum that will come out of Town Meeting. The estimated cost of the schedule change items for additional coverage is about \$22,000. ***Can he proceed with assurance that the Board will support his schedule change and the additional cost regardless of the budget vote March 14?***

Payment Manifest: A Board member has requested if we are going to make the proposed change that the Board vote upon it as there was no note of a vote or even note of consensus in the minutes from

1/23 when this came up before. Here is what I suggested earlier in response to a request from a member of the Board:

I realize that a full review of financial policy won't happen until after the election based upon the last Board meeting. Given Andy's concern, I believe there is a relatively simple solution that I have discussed with Lynne and Peter Royce, provided the Selectmen are willing to sign every week. We will continue to prepare the manifest to pay AP on Thursday, but will not mail the payments until Tuesday. Then the manifest can be approved at the Monday meeting if there is a meeting or the second option is a non-contemporaneously signed manifest signed by a majority of the board. This means that after the manifest is prepared, individual Select Board members can go to the town offices, review the manifest, and approve the manifest one at a time. Once the manifest has been so approved and signed by a majority of the Select Board, the town would then the issuance of payments as prescribed in the manifest. I would like there to be the very rare exception to be where there is a penalty for late payment (e.g. credit card), loss of discount or some other financial pressure like that. We have built a good reputation of timely payment and would not want that damaged.

Would the Board like to do this and a majority commits to sign the manifest timely every week before Tuesday?

Nonpublic needed for land, personnel, and legal

Other information:

Public meeting with Metrocast has been postponed to March 27.

RECOGNITION: John Huckins has achieved the certification of the Code Council of Master Code Professional, the highest level of certification offered. I believe there are only three code officers in the state who have done so.

Land: The town has completed the transfer of the 5 acre parcel on Route 125 to Liberty Truck in exchange for the 7 acre parcel on the other side of Liberty Truck on Pierce Road. I have turned over the application and work on the temporary driveway permit on the 5 acre parcel to Liberty Truck.

231:59-a Emergency Lanes. – I. Notwithstanding RSA 231:59 or any other provision of law, a town may raise and appropriate, and the selectmen may expend, money for the repair of any class VI highway or private way which has been declared an emergency lane under paragraph II. Such repair may include removal of brush, repair of washouts or culverts, or any other work deemed necessary to render such way passable by firefighting equipment and rescue or other emergency vehicles. A capital reserve fund under RSA 35 or a trust fund under RSA 31:19-a may be established for this purpose. II. No expenditures shall be made under paragraph I unless the selectmen, following a public hearing, declare the relevant class VI highway, private way, or portion thereof, as an emergency lane, and make written findings, recorded in the minutes of the meeting, that the public need for keeping such lane passable by emergency vehicles is supported by an identified public welfare or safety interest

which surpasses or differs from any private benefits to landowners abutting such lane. III. In the case of a private way, notice shall be mailed to all persons known to have a legal interest in the way, 10 days prior to the hearing, and the emergency lane shall not be declared if permission is denied by any person with a legal right to deny such permission. Neither the appearance nor non-appearance of such persons at the hearing shall prevent such permission from later being denied or withdrawn. IV. A declaration under this section may be rescinded or disregarded at any time without notice. This section shall not be construed to create any duty or liability on the part of any municipality toward any person or property. Utilization of this section shall be at the sole and unfettered discretion of a town and its officials, and no landowner or any other person shall be entitled to damages by virtue of the creation of emergency lanes, or the failure to create them, or the maintenance of them, or the failure to maintain them, and no person shall be deemed to have any right to rely on such maintenance. This section shall not be deemed to alter the classification or legal status of any highway or private way, or to limit or restrict the authority of towns to regulate the use of class VI highways pursuant to such statutes as RSA 41:11, RSA 236:9--13, and RSA 674:41, or to authorize any person to pass over any private way when permission has been denied. This section shall not be deemed to alter the duties or powers of any party under RSA 227-L concerning forest fires.