

Discussion with Moderator on articles:

Petitioned Articles:

We received these two petitioned articles (Ken Grant first signature): These will both go onto the warrant as petitioned. The Board can wait to see if there are amendments to them and then make a recommendation regarding them for the ballot.

1. Shall monies collected by the town, as land use change fees, be used to establish a trust fund to renovate our Town Hall on Ramsdell Lane

I would think it would be wise at Town Meeting to seek to amend by adding the phrase at the beginning of both this one and the Rights Based Ordinance something along the line of "To see, if despite the fact our attorney indicates we have no statutory authority to adopt or enforce this, if the Town will still vote...." We could also add that DRA indicates this one can't be done.

2. Shall a nine (9) member "official" budget committee be adopted and members appointed by the Town Moderator until elections in 2015?

An official Budget Committee has significantly more real power than the ABC, including the ability to limit what can be sought at Town Meeting. The composition will be critical, hence getting good volunteers. The rules are in RSA 32. The Board of Selectmen and School Board both have a voting member ex officio.

I would think if we had trouble finding three ABC members, it is going to be hard to find nine members. RSA 32:15 The RSA allows the at-large membership to be 3-12. The Deliberative Session could amend the number downward. I would also think there should be some language to indicate what happens if both this and the ABC article pass, that we would only have one.

Jae's comments on land use change tax article:

Has the town in the past voted to either create a land use change tax fund that will take all/some of the taxes or voted to have the money go to conservation? (yes) If so, this article cannot redirect the money without a specific vote to revoke/change the prior vote.

Second issue: per RSA 79-A:25 and 26, the land use change taxes go into the general fund unless the town votes to establish the land use change tax fund or to use the funds for conservation (all or some in both cases). There is no provision that specifically authorizes that the funds go directly to a trust fund established by the town. This means that while the trust fund can be established, the money that goes into the fund each year must be raised and appropriated at town meeting with the amount based on the amount

of LUCT the town received in the prior year - or some other period of time. I know that DRA has taken the position that the town can't establish a trust fund unless it puts some money into at the establishment - a dollar would do. We do not agree with this view. However, I suggest you send this one down to DRA to review so we know what its position is. And, the article as petitioned does not raise and appropriate any money, it cannot be amended at the first session to include same so as to make DRA happy with it.

Deliberative Session is at 9 AM at the Middle School.

My thoughts: I expect there will be very little activity beyond explaining what is being done with usual comments until we reach the four petitioned articles.

Article 25 Shall the Town of Barrington adopt an Ordinance to Protect the Health, Safety, and Welfare of River Ecosystems and Residents of Barrington, New Hampshire by establish a Community Bill of Rights? **_(By Petition) (Majority vote required).** **The Board of Selectmen does not recommend this article by a 5-0 vote.**

Article 26 Resolved, the People of Barrington, New Hampshire, stand with the Move to Amend campaign and communities across the country to defend democracy from the corrupting effects of undue corporate power by amending the United States Constitution to establish that: 1 Only human beings, not corporations, are endowed with constitutional rights, and 2. Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech. Be it further resolved, that the People of Barrington, New Hampshire, hereby instruct our state and federal representatives to enact resolutions and legislation to advance this effort. **(By Petition) (Majority vote required).**

Article 27 Shall monies collected by the town, as land use change fees, be used to establish a trust fund to renovate our town hall on Ramsdell Lane? **(By Petition)**

Article 28 Shall a nine (9) member "official" budget committee be adopted and members appointed by the Town Moderator until elections in 2015? **(By Petition)**

I don't think there will be much done with the resolution on amending the US Constitution as it is just a general statement requiring us to inform state and federal officials, but would expect attempts to amend the other three:

My thought is to recommend amending Articles 25 to read something like the following:

Article 25 "Despite the fact the Town Attorney indicates there is no statutory authority to adopt and no authority to enforce shall the town adopt the petitioned article to

One of the Conservation Commission members wants to amend it to be only a general resolution and reference a one page statement that takes out the most objectionable parts.

I would suggest an amendment to Article 27:

Article 27 "Despite the fact the Town Attorney and the New Hampshire Department of Revenue Administration indicates there is no statutory authority to do this, shall the town adopt the petitioned article to ...

Conservation wants to add a sentence that this will only apply to Land Use Change Fees not already dedicated to the Conservation Commission.

Another amendment might change the petitioner's "renovate our town hall on Ramsdell Lane" to something like "to renovate or construct new a town hall."

Article 28 is a little trickier. I assume there is no problem with amending the number of members to read any number from 3-12 (we have had a problem getting enough people to serve). We should also amend to clarify what happens to the ABC that was from 1970's. My thought is an amendment to read something along the lines by adding at the end:

"If article 23 fails and this article is adopted the Advisory Budget Committee is dissolved. If Article 23 passes and this one passes, then Article 28 will be considered to have failed and there will only be an advisory budget committee."

Peeper Run: *Will the Board of Selectmen agree to close Mallego Road for the Peepers Run from Route 125 to the Post Office Entrance from 8:00 to 10:15 am?*

Electrician RFQ: *Does the Board wish to amend or change the proposed RFQ and send it out?*

Bridge Aid: I would like to submit the hydraulic study for the Old Canaan Road Culvert to the NHDOT and have it entered into the NHDOT Bridge Aid program. HTA and I originally discussed submitting the study and requesting bridge aid in two separate letters. After reviewing a few past projects, HTA found that Towns have been making both requests at once which generally makes it easier for the NHDOT and speeds up the process. To that end HTA prepared a draft letter from the Town that I put on letterhead to request a bridge aid application to the NHDOT. HTA has also mailed under separate cover to you a copy of the hydraulic study to attach to the letter. *Does the Board wish to submit a second bridge project to the State for 80% funding?*

Tax Deeding: We have another person served with an eviction notice because we took the property for taxes for which we can get all the back taxes, but we believe the additional 15% for administrative fee would sink the deal. *Will the Board of Selectmen waive the 15% to let the person stay in their homes if all taxes are brought current with interest and fees paid (around \$25,000)?*

Information:

We have received encouraging news on our FEMA matching grant for the Town to redo Young Road culvert. We will have to come up with \$62,500 of soft match to get FEMA's \$200,000. Rather than change the budget at this point I would suggest we move money around within the Highway Department once we get it.