

Please note change in time of meeting:

6:00 Meeting with the Recreation Commission for general matters and the space proposed under the meeting room.

6:30 John Canney regarding lot merger: He is asking to have his property recognized as three lots instead of one. The issue is his house burned down and there is another dwelling unit on the property for which we cannot find permission. If the lot were split based upon different purchase times it could create a different issue with setbacks on one of the out buildings he has. We lack a survey of what would be where on the lot, but have one of the whole parcel as one lot which he presented in getting a permit. The key legal question is whether or not he voluntarily merged them by action he took or they were involuntarily merged by the Town. The burden of proof is on the town. RSA 673:39-aa The law indicates it was a voluntary merger “any overt action or conduct that indicates an owner regarded said lots as merged such as, but not limited to abandoning a lot line.” We believe the evidence for voluntary merger is twofold. (see court case) The owner has received only one tax bill for decades and not requested three separate bills. The owner has come into the town to obtain permits treating the lot as one lot including 1987 a building permit for a garage addition, 2002 a request to the ZBA for an equitable waiver, 2008 a request for a building permit and an electrical permit, all treating it as one lot. Only one deed indicates a building upon it at time of purchase in the early 1970’s.

What does the Board wish to do?

Action:

Library: I understand there is agreement that proceeding with \$25,000 in the Executive Design budget would eliminate the need for any warrant article related to library engineering. **Does the Board wish to add that to the budget?**

Steps and Cola: I recommend we proceed to budget a COLA and steps. This also reflects 2 other changes to Planner and Deputy Building Inspector instead of grade changes of 1.5 steps of the half steps. Earlier this year the Board adopted a 13 step plan to replace the 7 step plan. This makes the difference in steps half of what it was. Those who by merit earn a step and are not at the top of the scale would get 1.75% costing \$15,401. This does not include the police who start negotiations November 25. Any cost items of that would be a separate warrant article.

Steps non-CBA	1% COLA	1.5% COLA	2% COLA
\$15,401	\$ 16,740	\$ 25,110	\$ 33,480

I propose the step and a 2% COLA. ***What does the Board wish to do?***

Budget answers: The new phone lines were for a mailing machine to upload postage and updates, for the Deputy Building Inspector and one for the building shared by Library and Recreation. The DPW line is cell phones and is up \$300 because of changes made to add a third phone and data plans to two phones while at the same time going to a less expensive plan for the Road Agent.

The former Town Hall used \$8934.17 for heat in 2014 and \$8,208.77 in 2013. Since we are only heating a bathroom and office minimally to keep the pipes from freezing at the new storage location, I believe we can reducing the heating fuel lines by \$6,000.

SMP Architects: Talked to Jason Lacombe and he should have a document detailing the difference between the Construction Manager and Design-bid. He does not believe cost will be a big difference as architect fees are higher with the latter and roughly offset the Construction Manager costs.

He had prepared a document showing meeting space for 100, but does not recommend it. If extra space were added he recommends it go into office/storage areas.

Jason will do site design with library with at least the library operational space (as opposed to including the meeting spaces) all on one floor and use that to place on the site. He would do this on the assumption the meeting space would be up or down stairs.

Jason will also develop the agreement for next year costing out what will occur before Town Meeting (and has to be in the operating budget), and how much the firm can delay billing for work after March 15 but at the same time still be aggressive on the time table to avoid winter conditions in fall of 2015. Thus some of that will be in operating and some can be part of the bond.

Good news on foam/concrete. Groen Builder's estimate is in the same ballpark as the traditional build. Jason still has to go over the details as there are some differences in what is covered, but initially this product is lower.

Does the Board wish to make a decision on Construction Manager vs Design-bid or does it want more information?

Highway Garage: Goren Builders response: **Original cost for slab: \$26,189 (5",4000# concrete, 2" rigid insulation, radiant tubing, one year warranty)**

Add'l cost for out of sequence, re-grade,etc: \$4,300 (Previously submitted)

Additional Cost for winter conditions, concrete: \$1,640

Total Cost of the Slab: \$32,129

Drains as Bid: \$3,140 (Does not include separators and leach field as it is too late in the season) (Note: This needs to be reviewed with Peter Cook)

Additional Issues:

1. The building will need to be heated to keep the temperature above freezing until concrete is cured (By Barrington Highway Dept)
2. Building will not be available for equipment storage until after 12/31/14.

With regard to the warranty on the building, the entire building system including foundation building and site are warranted for a period of one year by GBI. I have requested all building component specific warranties from Budel to be passed along to the Town of Barrington.

Capital Reserve account #33: In 2010 the Town of Barrington established a Capital Reserve with this wording: "for the purpose of completing improvements and/or to rehabilitate town-owned facilities" It currently has just under \$73,000. Jae does not think it wise to use for repaving at the Public Safety Building. Here is her answer.

Given the year of the article, I suspect the intention was to deal with buildings, but it doesn't say so. I don't believe repaving is "completing improvements" so the question is whether it is rehabilitation. Rehabilitate means to restore to former condition (roughly!), so while I don't think repaving fits in with what the purpose of the fund was, it meets the definition of the words used. How's that for a lawyer non-answer?! Using the funds would be stretching the limit and if it went to court - I don't know how it would come out. The conservative answer is no - it is not covered and can't be used.

In answer to the question could it be used to finish the Highway Garage she answered "Yes". My recommendation is we continue to budget to finish the floor of the Highway Garage in the operating budget and leave this fund as a reserve in case of unexpected major building repair, etc. I believe the intent was to have it in case of major unexpected need like the roof, heating system, etc.

Conservation Commission-Board of Selectmen Memo of Understanding:

This memorandum of agreement, between the Conservation Commission and the Board of Selectmen, covers use of the Conservation Fund monies and is intended as a political document only.

As allowed by RSA 36-A, the Conservation Commission shall utilize funds from the Conservation Fund as outlined below:

1. All land purchases and receipt of gifts or money and property, both real and personal, by the Commission, will be subject to the approval of the Board of Selectmen.
2. Survey and appraisal costs associated with the development of conservation easements.
3. Associated costs of a natural resources inventory.
4. Educational outreach programs for community awareness.

The Conservation Commission shall report quarterly to the Board of Selectmen regarding the expenditure and proposed uses of the Conservation Fund monies.

Relevant RSA 36-A:4 Conservation Commission Powers. –

- I. Said commission may receive gifts of money, personal property, real property, and water rights, either within or outside the boundaries of the municipality, by gift, grant, bequest, or devise, subject to the approval of the local governing body, such gifts to be managed and controlled by the commission for the purposes of this section. Said commission may acquire in the name of the city or town, subject to the approval of the local governing body, by purchase, the fee in such land or water rights within the boundaries of the municipality, or any lesser interest, development right, easement, covenant, or other contractual right including conveyances with conditions, limitations, or reversions, as may be necessary to acquire, maintain, improve, protect, or limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within their city or town, and shall manage and control the same, but the city or town or commission shall not have the right to condemn property for these purposes.

January Meeting Dates:

We set Board of Selectmen meetings for December 8 and December 22. We have set the Deliberative session for Saturday January 31 at 9 AM. We have not officially set the rest January dates.

While the absolute deadlines are listed later in my report, here are the dates I recommend to be cautious and allow snow dates etc.

January 5 meeting Public Hearing Budget and Bond (allowing time if need to repost and do it again with a snow date of January 12). Assuming we meet January 5 the meeting the 12th would be unnecessary.

Because a petitioned article could come in we should schedule a meeting after January 13 to deal with that and sign the warrant. That could either be midweek (January 14 or 15) the holiday Monday, January 19, or a week day that week January 20-22. An important function will be signing the Warrant for posting, but this could be delayed until after January 20 (even possibly after January 23) if the Planning Board needs their second hearing and schedules it January 20 or later.

Then we would plan a meeting January 26 to prepare for the deliberative meeting already scheduled for Saturday, January 31. As a last resort we could post the warrant January 26, but I recommend it be done earlier.

In short the only definite dates I recommend are January 5 and 26, but we will need at least one in the middle.

Here are absolute deadlines: .

January 13, Last date to give public notice, which must be at least 7 days in advance, of selectmen's public hearing on any proposed bond or note issue in excess of \$100,000. Notice of the public hearing should be posted in at least 2 public places and published in a newspaper of local circulation. RSA 40:13, II-a(c); RSA 33:8-a.

ALSO 1/13 Last date for voters to submit petitioned warrant articles to the selectmen, unless the petitioned article proposes a bond under RSA 33:8-a, in which case the deadline shall be the preceding Friday or January 9. RSA 40:13, II-a(b); RSA 39:3.

ALSO 1/13 Last date to give public notice, which must be at least 7 days in advance, of the selectmen's public hearing on the budget. All purposes and amounts of appropriations to be included in the budget and special warrant articles must be disclosed or discussed at the final hearing, even a proposed bond or note large enough to require a separate public hearing (see next entry). RSA 40:13, II-a(a & c); RSA 32:5, I.

January 20 Last date for selectmen to hold a public hearing on any proposed bond or note issue in excess of \$100,000 (see appropriate entry for January 13 for notice of this hearing). RSA 40:13, II-a(c); RSA 33:8-a.

ALSO January 20 Last date for the selectmen to hold the final public hearing on the proposed budget and special warrant articles. RSA 40:13, II-a(c); RSA 32:5, I (see appropriate entry for January 13 for notice of this hearing).

NOTE PLANNING BOARD DEADLINE: January 23 Last date for planning board to hold the final public hearing on proposals to adopt or amend a zoning ordinance, building code or historic district ordinance. After the final public hearing the planning board shall vote to determine the final form of the proposal. January 26 is the last date for the selectmen to post the warrant, which must include these items. RSA 40:13, II-a(d); RSA 675:3, III, IV, V.

January 26 Last date for selectmen to post the warrant with a certified copy of the budget at the place of the meeting and at least one other place in town; copies must also be available to the public. RSA 40:13, II-a(d); RSA 39:5; RSA 32:5, VII.

ALSO January 26 Although the "Senate Bill 2" law is not clear, by this date, official copies of the final proposal to adopt or amend a zoning ordinance, building code, or historic district ordinance should be placed on file with the town clerk and made available to the public (January 26 is the deadline for posting the warrant, which must include these items). RSA 40:13, II-a(d); See also, RSA 675:3,

Proposed 2015 Holiday Schedule

1. New Year's Day- Thur. January 1st
2. Civil Rights' Day- Mon. January 19th
3. President's Day- Mon. February 16th
4. Memorial Day- Mon. May 25th
5. Independence Day- Fri. July 3rd *
6. Labor Day- Mon. September 7th
7. Columbus Day- Mon. October 12th
8. Veteran's Day- Weds. Nov. 11th
9. Thanksgiving Day- Thurs. Nov. 26th
10. Day After Thanksgiving- Fri. Nov. 27th *
11. Christmas Eve- Thurs. December 24th
12. Christmas Day- Fri. December 25th *

*** (Note the employees in the Town Offices will not be receiving paid time off for Friday holidays when the office is normally closed, July 3rd, November 27th, or December 25th, but receive pay for their scheduled hours when a holiday is celebrated Monday-Thursday even though it is more than 1/5th of their weekly schedule.)**