



Warner Board of Selectmen

Meeting Minutes
Tuesday, March 17, 2015
APPROVED

Chairman Hartman opened the meeting at 6:04 pm.

In Attendance: Selectman David E. Hartman – Chairman, Clyde Carson – Selectman, Allan N. Brown – Selectman, and Jim Bingham – Town Administrator

Others present: Marianne Howlett, Martha Mical, Judy Newman-Rogers, Barbara Annis, Ronnie Bryson, Rick Davies, John Leavitt

1. Tax Collector – Properties that may be deeded

A. Tax Collector, Marianne Howlett, presented to the Selectmen a list of properties with unpaid taxes which may be deeded. Marianne said the taxpayer notices were mailed yesterday and any mortgagee that is applicable, those notices will be mailed within two days. Marianne reminded the Board in the deeding process there are two sets of notices that are sent and recommends to the Board to let the process complete before making any decisions regarding the properties on the list that she provided. She also suggested that when extensions are granted the same applies to all the properties on the list.

2. Parks & Recreation Commission Interest

A. Ronnie Bryson met with the Selectmen to express his interest in becoming a Parks & Recreation Commission member. Ronnie has been attending their meetings and has been actively involved for a year and would like to become an official member.

Board Action

Selectman Brown moved to appoint Ronnie Bryson as a Parks & Recreation Commission member for a one year term. Selectman Carson seconded the motion, the motion passed 3-0.

3. Town Hall Driveway

A. The Town Administrator contacted the Town's Attorney regarding the use of the Town Hall driveway by occupants of 1 East Main. The Attorney said the following:

The driveway may be open to public use, that does not provide to an abutter a right to rely upon that driveway as access to his/her property. The use is for access to town offices, therefore, it is appropriate that there be some sort of an agreement formalizing the relationship. I do not feel an easement is appropriate as that represents a conveyance of a permanent right in Town property that further more such a conveyance would require Town Meeting approval unless the Town Meeting has delegated to the Board the authority under RSA41:14-a. I suggest the Selectmen consider granting a one-year renewable license under RSA41:11-a.

41:11-a Town Property

I. The selectmen shall have authority to manage all real property owned by the town and to regulate its use, unless such management and regulation is delegated to other public officers by vote of the town, or is governed by other statutes, including but not limited to RSA 31:112, RSA 35-B, RSA 36-A:4, and RSA 202-A:6.

II. The authority under paragraph I shall include the power to rent or lease such property during periods not needed for public use, provided, however, that any rental or lease agreement for a period of more than one year shall not be valid unless ratified by vote of the town.

III. Notwithstanding paragraph II, the legislative body may vote to authorize the board of selectmen to rent or lease municipal property for a term of up to 5 years without further vote or ratification of the town. Once adopted, this authority shall remain in effect until specifically rescinded by the legislative body at any duly warned meeting provided that the term of any lease entered into prior to the rescission shall remain in effect.

Source. 1994, 17:1. 2009, 121:1, eff. Aug. 21, 2009.

- B. Chairman Hartman said the Town had a hand shake agreement with the previous property owner for several years but at this time the Board needs to develop a more refined agreement.
- C. Martha Mical asked if the Town's handi-cap parking will be effected and the Town Administrator said that he has spoken with the property owner about this concern and the property owner is very willing to work out something.
- D. Rick Davies, Planning Board Chair, said the Planning Board has not received a revised drawing showing the six parking spaces on the Town Hall side of the building. He said the intention of the Notice of Decision is there would be some agreement from the Town relative to a drawing that was approved by the Planning Board. The Town Administrator said the property owner provided him with a plan sketch and the final drawings are being developed.
- E. The Town Administrator said the issues the Board may want to consider as the agreement is being put together is whether the driveway will be considered a two-way driveway or one-way, pedestrian access to the side door at the Town Hall and working out the handi-cap parking. Selectman Brown said at the same time the potential development of the Odd Fellows Building needs to be considered as well. A meeting will first be arranged with the Odd Fellows Building developer and the Town Administrator will contact the property owner of 1 Main regarding the issues.
- F. John Leavitt asked if the agreement is too specific will it interfere with the Planning Board in regards to the Site Plan Review. John suggested the Planning Board review the Selectman's concerns as well.

4. Cost of Living Increase

Board Action

Selectman Carson moved to have the 1.7% cost of living increase take effect on the first pay period in January. Selectman Brown seconded the motion. Chairman Hartman called for questions. Martha Mical suggested for the salary people they receive their full salary amount that is in the budget. Martha said the salary employees last year did not receive their full salary due to when the wage increases took effect. Chairman Hartman believes the hourly employees would like to receive their full wages as well. Martha said hourly people get paid by the hour, if we work the hour we get paid for it. The Town Administrator said last year the COLA increase did not begin until the second pay period of the year so the salary employees lost out on a little bit of money because it was not made up through out the year. He said this year, wage increases were applied beginning on the first pay period of the year. Another option is to re-look at everyone's wages near the end of the year and if any catch up is needed, to do so, before the end of the year (salary employees). Selectman Brown would like to see the employees receive their full salary. Selectman Carson moved to amend the motion, the next pay period will include all prior cost of living increases will be paid to both hourly and salary employees so they are fully up to date and so everyone receives their full salary at the end of the year. Selectman Brown seconded the amendment. Chairman Hartman called for questions. Judy Newman-Rogers said she did not receive her full salary last year. Judy did say that she questioned her salary total amount in June of 2014 and was explained that the difference in her salary was due to when the COLA was applied. Judy provided an RSA stating that both elected and appointed officials will receive their salaries. Chairman Hartman said he would like to bring the meeting back to addressing the current motion which doesn't address last year's problem. The Town Administrator said there are 26 pay periods and the first pay period this year started January 5 and the last pay period will end on January 2, 2016 which equals to 26 pay periods for both hourly and salary, he said the only difference from last year is the effective date was not the first pay period and his hope is that this will be the standard operating procedure from here on out. Selectman Carson amended his motion to include a cost of living increase to all 26 pay periods for the 2015 calendar year. Chairman Hartman called for a vote on the motion; all were in favor, the motion passed 3-0.

- B. Selectman Carson asked if a figure could be generated for the amount of money not paid to the salary employees in 2014, it was thought to be around \$500 total. Selectman Brown asked to generate the cost and bring it before the Selectmen for a vote at the next meeting.

5. Conservation Commission Fund

- A. The Town Administrator reported that the Conservation Commission is requesting \$500 to pay for a processing fee to look into two State surplus properties in Warner.

Board Action

Selectman Carson moved to support the efforts of the Conservation Commission to look further into two State surplus properties. Selectman Brown seconded the motion, motion passed 3-0.

6. Planning Board Resignation

Board Action

Selectman Carson moved to accept the resignation of Susan Roth as an alternate member on the Planning Board. Selectman Brown seconded the motion, motion passed 3-0.

- A. After this resignation the Planning Board has no alternate members and will be actively looking to fill 3 vacancies.

7. Class V Roads

Board Action

Selectman Brown moved to post all Class V roads to a 6 ton weight limit effective March 17 and until further notice. Selectman Carson seconded the motion, motion passed 3-0.

8. Appointments to Boards/Committees/Commissions

Board Action

Selectman Carson moved to appoint the following to a 3 year term expiring March 31, 2018:

- Deputy Treasurer Ray Martin
- Deputy Town Clerk Michele Courser
- Compliance Officer Peter Wyman
- Concord Regional Solid Waste David Hartman
- Concord Regional Solid Waste Varick Proper (Alternate)
- Conservation Commission Russ St. Pierre
- Parks & Recreation Griffin Manning
- Parks & Recreation Mark Allen
- Planning Board Ken Milender
- Planning Board Aedan Sherman
- Zoning Board Rick Davies
- Zoning Board Howard Kirchner (Alternate)

Selectman Brown seconded the motion, motion passed 3-0.

- A. The Planning Board is in need of 3 alternates and the Town Administrator asked Rick Davies, Planning Board Chair, how he would like to handle any interests that come forward. Rick said his thought is the Board of Selectmen interview any interested candidate and then send them to the Planning Board for a meet and greet. Planning Board member Barbara Annis asked the Board to ask the interested candidates what is their purpose, do they have an agenda. Barbara said she does not want anyone on the Planning Board who is not willing to listen and who is not willing compromise.

9. Board of Selectmen – Chairman

Board Action

Selectman Brown moved to appoint Selectman Hartman as Chairman. Selectman Carson seconded the motion. Selectman Hartman accepted and abstained from voting. Motion passed 2-0.

10. Fire Station Building Committee - Discussion

- A. The 2015 Town Meeting granted approval for the Selectmen to purchase a piece of land for a new fire station.
- B. Chairman Hartman said the Board has discussed continuing on with the established Alternate Sites Committee members to also move forward as the building committee. Selectman Brown said Kimberley Edelmann from the Budget Committee would like to be involved with the building committee and the Fire Chief, Ed Raymond would like to see Sean Toomey his First Deputy and Peter Wyman a fire fighter be on the building committee as well (Peter was on the site committee as well). Sean is well versed on the fire codes and Peter has building experience. Selectman Brown said that he has spoken with Anthony Mento

who is an architect to be on the building committee. The Board feels at this time the building committee will not need conservation input. Martha Mical suggested using more from the general public and Selectman Brown said he doesn't want to see this committee become too large.

- C. Martha Mical recommends the building committee meet with the fire department as a whole to listen to what the fire department has to say.
- D. Selectman Brown said his thought process is to use the current design plan with serious alterations. What needs to be decided is how much money does the Board want to spend.
- E. Chairman Hartman said the purpose of this building committee is to review and assess the facility needs for the Warner Fire Department as the Town considers the investment and construction of a new fire station for a volunteer staff of fire fighters and emergency medical technicians. The committee will assess the present and near term needs as well as the anticipated need for the next two or three decades. The committee will be investigating these factors by contacting local and state resources, researching local and regional trends. Data collection, interviewing, discovering what other town's have faced or are planning to do on addressing their growing fire, medical response facility needs. The committee will review the current design created by Warren Street Architects and how it fits with the new site. From this work the committee will submit its findings and recommendations to the Board of Selectmen (no date determined as of yet). Selectman Carson asked the Board if the intention is to bring this before the 2016 Town Meeting or the following Town Meeting. At this time, it looks like a lot of work in order to be ready for 2016, plus the Board needs to decide what to do with the current buildings. Selectman Carson asked if there will be any money left in the capital reserve to deal with the design, if not, then the Board would need to go back to Town Meeting for funding.
- F. A notice will be placed on the website as well as in the Newsletter asking for volunteers to serve on the building committee. Chairman Hartman said he does not want this committee to feel the Selectmen do not listen to their recommendations, he believes that some members on the Alternate Sites Committee may have felt so. Selectman Brown said those committee members it was explained in the beginning that the committee is solely advisory to the Board of Selectmen.

11. Town Administrator's Report

Old Grade School: NH Community Development Finance Authority (CDFFA) wants to confirm that at least 51% of the households served by "Gear-Up" homeschool program and the Cooperative Preschool program are considered in the modest to low income categories. Unless a percentage of the families participating in these programs meet the income threshold, the spaces used by these programs may not be included in the grant and the town would have to bear the cost of improvements in those areas.

Donna Lane, our grant administrator, reported to me that, despite our efforts, she received only a few surveys from the households participating in the Warner Coop Preschool and Gear Up homeschoolers and these surveys showed household income above the threshold for moderate and low income households. Donna suggested that the town apply for a much smaller grant of approximately \$32,400 to address the basic insulation and weatherization needed and that the town contribute a small cash match towards this grant. Community Development Block Grant that the town is applying for is to improve the energy efficiency of the building.

REVISED WEATHERIZATION COSTS:

Air Sealing	\$8,800
Ceiling Sealing	\$6,400
Basement Walls	\$3,800
Ventilation	\$6,800
Heating	
Distribution	\$3,800
System	
Oversight &	
Rebate Acquisition	\$2,800
Total Construction	\$32,400
CDBG	\$26,400
Warner	\$ 6,000

Bartlett Loop Bridge Replacement: The Selectman's office received a letter from NHDOT stating that our reimbursement request of \$31,886.70 for costs for Phase I & II design is being processed and that to date NHDOT has reimbursed Warner \$138,789.50 for this project. The Town received a check for \$106,902.60 last week as a 50% advance of the state's share of construction costs.

Roundabout @ Exit 9: The Town Administrator spoke to William Rose informing him about the passage of the warrant article to construct the Roundabout. William has received almost all the comments on the Roundabout Preliminary Plans that he was seeking but is still waiting for comments from District 5 office. He is working on getting a response from them.

Highway Department: Tim called the crew in on Saturday at 3:30 pm as all dirt roads were frozen. They sanded all the roads and finished about 6:30 pm. The crew was called back at 10:00 pm due to temperature drop and Police had a car off Horne St. They worked all night on sanding. The crew was short 2 guys so it took a while longer. No break downs. Finished up about 9:30 am. The Town received a block grant of \$22,331.51 for this quarter.

12. Manifest

Selectman Carson moved to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll check numbers 3589-3606 in the amount of \$ 34,732.77 (including 19 direct deposits) and Accounts Payable check numbers 50744-50791 in the amount of \$279,587.29. Selectman Brown seconded the motion, motion passed 3-0.

13. Consent Agenda

Selectman Brown moved to approve the Consent Agenda for March 17, 2015:

- Sign Permit for 25 East Main St.
- Intent to Cut for Map 7 Lot 64
- Intent to Excavate for Map 7 Lot 64
- 4 Veteran's Tax Credits
- Building Permits for:
 - Map 7 Lot 40-2
 - Map 11 Lot 36

Chairman Hartman seconded the motion; motion passed 3-0.

14. Meeting Minutes

Chairman Hartman moved to approve meeting minutes dated:

- February 24 nonpublic
- March 5
- March 10

Selectman Brown seconded the motion, motion passed 3-0.

15. Tax Bills – First Half

A. There will be an insert included in the first tax billing of this year which reads as follows:

This tax bill does not include new assessment values. All adjustments including new assessments will be in your December 2015 tax bill. For this reason you may notice a greater fluctuation than normal between the first and second tax bills of 2015.

16. Nonpublic Session

Chairman Hartman moved to go into nonpublic session at 8:24 pm. under RSA91-A:3 II (a), compensation. Motion was seconded by Selectman Carson. A roll call vote was taken. Selectman Brown – yes; Selectman Carson – yes; Selectman Hartman – yes.

In attendance: Chairman Hartman, Selectman Carson, Selectman Brown, Town Administrator – Jim Bingham

Chairman Hartman called for a motion to end the non-public session. Selectman Carson so moved. Selectman Brown seconded. Hartman- yes, Brown – yes, Carson- yes. Motion passed 3-0 to end this non public session. The non-public session was adjourned at 9:05 pm.

17. Seal and Restrict

Selectman Brown moved to seal and restrict the March 17, 2015 nonpublic meeting minutes for 6 months per RSA91-A:3. Selectman Carson seconded the motion; all were in favor, the motion passed.

18. Board Action

Selectman Brown moved to increase Tim Allen's wages from grade 5 step 10 to grade 5 step 11 effective immediately. Selectman Carson seconded the motion; all were in favor, motion passed 3-0.

Selectman Brown moved to reinstate the vacation time that was removed from Tim Allen at the end of 2014. Selectman Carson seconded the motion, motion passed 3-0.

19. Other Business

- A. Selectman Brown would like a public hearing arranged as soon as possible regarding an equipment purchase at the Highway Department. The Town Administrator said the hearing will be arranged for March 31.
- B. Selectman Brown said he was informed by Weaver Brothers that their construction schedule is getting full in regards to Waldron Hill Road. Selectman Brown will obtain a new estimate for the project and will review the proposal with the Director of Public Works.

20. Adjournment

A motion was made and seconded to adjourn at 9:12 pm which unanimously passed.

Board of Selectmen
David E. Hartman – Chairman
Clyde Carson
Allan N. Brown