



Warner Board of Selectmen

Meeting Minutes
Tuesday, May 12, 2015
APPROVED

Chairman Hartman opened the meeting at 6:10 pm.

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

Others present: Tim Allen – Acting Director of Public Works, Tracey Hallenborg, Judy Newman-Rogers, Martha Mical, Howard Kirchner, Andy Bodnarik, Barbara Annis, Fay Vadnais

1. Highway Department Report

- A. Tim Allen, Acting DPW reported the grader is up and running. Tim plans on taking an oil sample from the rear axle and send it to Anderson to see if anything is wrong with the differential. Tim said he has everything to work with for the 1998, he is trying to schedule the proper amount of time. Selectman Brown asked Tim if that repair is going to be more than the shop can handle. Tim feels the crew could remove the engine in the 1998 in a day and then allocate a week to put the new engine in with outside assistance. Tim said once this project begins it must continue to the end, he still waiting to hear back from the mechanic on when he will have 3 or 4 days in a row available.
- B. Tim provided a more detailed update on the grader. The axle that was replaced (6th one) was a used axle that was checked out and installed for half the normal cost, but, it was never magnafluxed. Right now all the axles are 4 years old or newer. Selectman Brown said he looked at the axle that was replaced and it seemed to him the axle was cracked long before it broke, Tim agreed. Selectman Carson asked if the Town now has a 15 year old machine that should be replaced? Or will the work extend its life? Selectman Brown said yes, the grader needs to be placed on the Capital Improvements Plan. The Town Administrator said the grader is on the CIP and will probably be moved up. The Town Administrator said he was also looking at the cost to lease a grader.

2. Waldron Hill Road Construction

- A. The Acting DPW, Tim Allen, said the last figure provided by Weaver Brothers is \$450K. Tim has updated the proposed cost for Weaver Brothers for \$425K, plus the prep work, the total cost will be about \$607K. There is currently \$592K in the capital reserve. Selectman Brown is recommending to pay for the project mostly from the capital reserve because the Highway budget was not left in good shape, there were some invoices from last year that are being covered from the 2015 budget. The time-line will be verified once permission is granted, the construction should take about 2 months, a notice will be sent to the residents as well.

Board Action

Chairman Hartman moved to have the Highway Department proceed with reconstructing Waldron Hill Road. Selectman Brown seconded the motion, motion passed 3-0.

3. TDS Fiber Optics Installation

- A. The Acting DPW, Tim Allen, met with TDS workers for the underground installation of the fiber optics. Tim wants to make sure when the optics are buried that they are buried deep enough.

4. Highway Department Staffing

- A. The Acting DPW, Tim Allen, discussed his need to hire one full-time position that could possibly move into the foreman position. Tim said he has spoken to his crew and he is not sure if any of them are ready to move up. Tim said because his position at this time is probationary, he is not sure where he should go as far as hiring someone. He would like to hire someone that is closely qualified as a foreman. Tim is working on a 6 month probationary period himself which ends in September. Selectman Brown said the Board shouldn't wait till the end of the year to find out Tim may not want the position, it's not a good set up for going into the winter. Tim said the Board doesn't have to worry about him going anywhere. Selectman Carson asked if the Board has the option to make their final decision regarding Tim earlier than the 6 months. The other

Board members said yes. Tim said he is happy to be in the DPW position, it excites him, and he feels he can be of help, but he also likes being a foreman so if the Board has any idea about having someone else as DPW then he would be just as happy being the foreman. Chairman Hartman asked Tim to explore the potential market for an equipment operator that has potential for being elevated to foreman. Both Selectman Brown and Selectman Carson agreed.

- B. Chairman Hartman said he recalls a question from the Budget Committee about when ever there is a change in staff would be the time to re-look at staffing at the Highway Department. Tim said he always felt the staff was short by two people. Tim would like to try to hire the right part-time person to fill in between building maintenance and the highway department, if the part-time hours prove to be not enough, it can be looked at again. Tim would also like to hire someone from December to mid April. The Board unanimously agreed with Tim's plan.

5. Abatement's

- A. Assessing Clerk, Martha Mical, presented two (2) abatement requests. Martha said the Assessor denied both. Martha explained to the Selectmen that they have the choice to overrule the Assessor, and if so Martha recommends the Selectmen first view the property. Out of the two, one property owner did not agree with the Assessors, one reason is because they never reviewed the interior. Martha also told the property owner when the reviews are underway from the revaluation, there will be an Assessor available on the spot to go out to properties. The Board asked Martha to have the Assessor complete an interior inspection on the property that disagrees.

Board Action

Selectman Carson moved to deny the abatement request for Map 7 Lot 43-4. Selectman Brown seconded the motion, motion passed 3-0.

6. Second Public Hearing – Sale of Map 29 Lot 1

- A. Chairman Hartman opened the hearing at 7:00 pm. under RSA42-14-a.
- B. Chairman Hartman read the following letter from the Planning Board into the record:

April 15, 2015

Per the March 16, 2015 notification from of the Board of Selectmen, at the April 6, 2015 meeting, the Planning Board reviewed and developed comments and a recommendation as it pertains to the sale of a town parcel of land on East Main Street identified as Map 29 Lot 1 per RSA 41:14-a.

Comments:

- It is the least desirable parcel for the fire station per the committee that was established by the Board of Selectmen after the 2013 town meeting.*
- It was voted to sell the property at Town Meeting this year.*

Recommendation:

The Planning Board recommends that the parcel of land identified as Map 29 Lot 1 be listed for sale by May 30, 2015 as directed per Article 24.

Please contact us with questions.

Rick Davies

Planning Board Chairman

*cc: Board of Selectmen
Town Administrator*

C. Public Comments:

- An audience member said she has gone onto the Town's website and signed up for notifications and did not receive any notice regarding tonight's meeting. Also on the website, she asked if only public hearings are posted on the website, she asked if the whole agenda is listed on the website too. The Town Administrator explained in terms of posting meetings the law requires a 24 hour notice for meetings. Public Hearings need to be posted in two public places plus in a paper of general publication. There will also be available in the future a specific fire department page that will list all the current activity. As far as the e-notices (email), the Town Administrator has not notified the webmaster to activate, he said it will be up and running for the next time. Barbara Annis noted the agenda for tonight's meeting is on the website. The audience member feels the website is not user friendly.
- Judy Newman-Rogers asked if the Conservation Commission had any recommendations regarding the sale of the property. The Town Administrator said yes, the Commission recommended selling the property because it's not a suitable site for a fire station. One of their concerns is the erosion. The following is the email response from the Conservation Commission dated March 21, 2015:

The lot on East Main, Map 29, Lot 1 has significant environmental constraints as a building site. Problems noted today by WCC members include required setbacks from the Warner River and Route 103 that limit the buildable area on the parcel, ongoing erosion caused by the river, as well as concerns about protection of wetlands areas on the parcel.

- Howard Kirchner asked if the plan is to sell the property for profit or break even. The Town Administrator said the target price is the cost for the land. Howard said then there will be a loss because a building was removed. Howard said the target price should be 20 or 30% above the amount the Town paid to recover, otherwise, the Town is sitting on good piece of real estate. It could be used for the solar array, Howard would like to see the Selectmen think outside the box. Howard said the site is a terrible one for a fire department but it could be used for a training site.
- An audience member asked if the Selectmen will obtain a selling value from a realtor. Chairman Hartman said yes.
- Andy Bodnarik noted that some property values have gone down recently in terms of actual sale price. Chairman Hartman said the Town is in the process of selling this piece of property regardless of the prices going up or down.

D. Chairman Hartman closed the public hearing at 7:12 pm.

7. Brownsfield Grant for 32 Waterloo Street

- A. The Town Administrator said a public hearing was held on April 28, 2015 for public input prior to the Selectmen deciding to accept/or not accept unanticipated revenue which this grant is. One of the concerns from the hearing was if the grant amount \$41,200 is enough, what is the Town getting out of it, and what will the cost to the Town be administratively. The Town Administrator spoke with both the Department of Environmental Services as well as Sanborn Head who is the environmental firm that submitted the cost. Sanborn Head is willing to lower the price to allow \$600 to cover administrative costs. The Town Administrator spoke with Mike McClusky at DES who wants a new proposal submitted with the new figures which is being completed this week. Sanborn Head is willing to complete all the work in phase I & II within the \$41,200 which will include the administrative costs.
- B. Selectman Brown asked if the Town has any liability. The Town Administrator said the owner (State) of the property holds the liability.
- C. Chairman Hartman said he knows people are saying the Selectmen should not get involved with anymore grants with stipulations that the Board is not quite sure about, it seems to him the way the project came about would be for the benefit of the Town just in general environmental understanding of the site. Selectman Carson said the location of the property could also have an impact on the Town's water resources. Selectman Brown said this should have been done by the State when the State shed was decommissioned.

Board Action

Chairman Hartman moved to accept the unanticipated funds in the amount of \$41,200. Selectman Carson seconded the motion. Selectman Carson asked by accepting the funds does the State decide who will get the contract. The Town Administrator said the Town decides because once the Selectmen accept the funds the Town becomes the administrator of the grant. The State is fine with whatever way the Town wants to handle hiring a consulting firm.

Selectman Brown said the \$600 will not cover the cost for a bid process unless the Selectman accepts Sanborn Head to complete the work. The Town Administrator said he would recommend going out to bid if any Warner money was involved but, for the fact that the grant is being paid 100% by the State, a reputable firm has made a proposal and it is a firm that has worked with the State in the past and well within the price range, it will save the Town a lot of work by not having to go through the bid policy process. Chairman Hartman asked if the Town Administrator received any indication from the State that Sanborn Head is a perfectly good outfit to deal with and the Town Administrator said yes. Barbara Annis said the Town just recently hired Donna Lane to oversee a Community Development Block Grant, what makes the Board feel they are capable of handling a Brownsfield Grant. Barbara doesn't understand the change. The Town Administrator said the CDBG has a system already set up and Donna is very well versed in moving the grant process along for that particular organization using federal funds. In this case the Town is basically receiving assistance from the State; the State is essentially overseeing this, the Town is the fiscal agent for the most part on this grant. Fay Vadnais lives next door to the property and she is concerned the phase II work could possibly effect the vein of water that supplies her home. Fay wants to know who would be liable and the same with any damage associated with any drilling. The Town Administrator said the test boring completed at the Odd Fellows Building went down to about 30 feet. The firm completing the work will carry liability insurance as well. Selectman Carson said the contractors could be asked if there will be any risk to Fay's water source. Selectman Brown said the State standard for liability coverage is \$1million. Fay said she feels more comfortable addressing her concern at this level. Fay also wanted to know what time of day will the testing be completed. The Town Administrator told Fay the disturbance level is very low, and that she probably won't even know they have come and gone. Judy Newman-Rogers recommended the contractor perform a base line on the wells in the area before the analysis is completed. The Town Administrator said the alteration of the terrain at this site is extremely minimal, only surface testing will be completed in phase I. Chairman Hartman called for a vote on the motion; all were in favor, the motion passed 3-0.

8. Fire Station Building Review Committee Discussion

- A. The question before the Selectmen is when should this Committee be convened. At this time Provan & Lorber is reviewing the Planning Board's recommendations and is willing to discuss with the Selectmen some suggestions that will help address some of the Planning Board's recommendations. The initial proposal cost is \$1,700.
- B. Membership consideration for the Committee is:
Peter Wyman – Fire Fighter
Sean Toomey – First Deputy
Howard Kirchner - Citizen
Lois Lord - Citizen
Kimberley Idelmann – Budget Committee
Janice Loz – Zoning Board of Adjustment
Anthony Mento - Architect

The Town Administrator has created the charge for the Committee, but, Selectman Brown said the one question the Selectmen need answered before the Committee convenes is when he was speaking with the Fire Chief the Chief said the current plans would fit on the site being proposed (Map 34 Lot 20-2) and Selectman Brown said he is not sure the Town will support a \$3million fire station. Selectman Brown sees the need to reduce the size of the building. Does the Town want to build one big station or does the Town want to keep the old fire station for medical services and build a station to house equipment. The Town Administrator feels the Selectmen should be looking at convening the committee to let the committee interview the Fire Chief, do the work sessions, evaluate what makes sense in terms of a fire house and present their findings to the Board. Selectman Carson's concerns are not with the building, it's with the location. The Town Administrator said the Building Committee can work on the building and the site selection determination can keep moving along. Another issue that needs to be considered is the fire department is also responsible for any interstate calls as well.

- B. Chairman Hartman said let's form the Committee and have them report back to the Selectmen with a recommendation, the time line will be determined by the Committee. An audience member asked what criteria was used to form the Committee. Selectman Brown said 2 have volunteered, 2 are coming from the fire department, 1 from the Zoning Board of Adjustment, an architect and a member from the Budget Committee. Selectman Brown will contact all the members being considered. Chairman Hartman would like to see the public hearings for the acquisition for a piece of land be arranged as well.

9. Safety Program

- A. The Selectmen will be provided with a copy of a new version of the Safety Program for them to review and be ready for discussion at the May 26th Selectman's meeting for the Board to approve. The last update took place in 2007.

10. Town Administrator's Report

Bartlett Loop Bridge Replacement: A Re-Start notice has been submitted to NHDOT for the Bartlett Loop project. Morello Construction has resumed work and is expected to complete the project next month. There will be a secondary rail system installed as well.

Roundabout @ Exit 9: The Board has scheduled a meeting with Gene McCarthy and Doug Evans who owns the Shell Station in Warner to discuss the planned route for the fuel delivery trucks going to the Shell Station. The meeting will be on Tuesday, May 26 at 4 pm. If time allows the Board will discuss the preliminary design and Gene will address the other points raised in the review by William Rose's office.

New Fire Station: The Town Administrator spoke to Provan and Lorber about further site evaluation of the Egan property (Map 34 Lot 20-2). Tim Grant is reviewing the recommendations from the Planning Board and will present some suggestions on how best to address them in the context of a site evaluation.

Energy Efficiency Programs from EverSource: The Town Administrator attended a seminar on May 6 at the EverSource Office in Manchester and learned about the new rebates and incentive programs EverSource is offering Municipalities in an effort to save electric usage through conservation. Savings programs range from conversion to LED lighting – indoors, outdoors and street lighting to installing heat pumps, infrared heaters and weatherizing old buildings.

Old Graded School: Yesterday, the Town Administrator met with Dana Nute with Community Development Finance Authority and with Maria LeTourneau and Paul Hausmann of EverSource to discuss the weatherization work to be done under the CDFR grant and how the energy efficiency programs offered by EverSource could be included. Dana will get quotes for air sealing and insulation of the attic and Ever Source will be evaluating the KWH use for several of the town facilities including the OGS to determine which buildings would benefit from their rebate programs.

Mr. Azmy: Sergeant Carter was requested to inspect the vehicles that are parked along the road in front of Mr. Azmy's residence to determine if they were all registered according to the agreement he has with the town. Mr. Azmy had been away for several weeks and he promptly registered the 6 vehicles that needed renewals. I explained to Mr. Azmy that sending an officer to investigate a complaint of improperly registered vehicles is standard procedure and has been done in response to other complaints in the past.

11. Selectman's Other Business

- A. Selectman Carson reported the Solar Array Committee has been meeting with Revision Energy. More information is being gathered about installing an array at the waste treatment plant. There are a couple of ways to finance the project, either by financing or by having a company come in and build it and they would sell the electricity back to the Town. Most municipalities that have the arrays are built by someone else because there is investment on the part of the Town. Revision is looking at finance companies and from there the Committee will meet and talk.
- B. Selectman Carson said he volunteered to put a committee together to look at medical insurance. He has approached 3 people, one from the Schoolboard, one from the Town Hall and the other from the Library. He has also contacted the Water District to see if they would like to participate, but has not heard back yet. He is hoping to have something for the Selectmen to review in a couple of months. Selectman Brown asked when the insurance contracts are renewed. The Town Administrator said the Town is on the calendar year and the Town would not look at figures until late fall because that is when the rates are known for the next year. Selectman Carson said historically by that time it's too late to do anything about the rates. The Town Administrator asked Selectman Carson what he is expecting because the evaluations will be completed. Selectman Carson said the Committee will map out what they want and if the figures are not available at that time they will obtain them when available.
- C. Selectman Brown asked for a status for the siding at the Police Station. The Town Administrator said the quotes have been updated and will be provided probably at the May 26th meeting.

- D. Selectman Brown asked for the status on the salary employees who did not receive a full salary in 2014 because the wage increase began in the first pay period of 2014. The Department of Labor was contacted who very politely said why is the Town of Warner treating elected officials like employees. With that aside the DOL provided very good advise and their opinion is the hourly wage employees received their increase at the time the Selectmen vote on it. The salary employees, DOL recommended not to put the full salary on the Payroll Change Form, but instead the amount the salary employee would receive each pay period. The reason DOL provided was the salaried employee could come to the Town and demand their entire salary up front; the Payroll Change Form could be argued in that manner. The Town Administrator is also waiting to hear back from NH Municipal Association.
- E. Chairman Hartman will be attending the Northeast Resource Recycling Association meeting on June 8 & 9.

12. Manifest

Selectman Carson moved to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll check numbers 3654-3668 in the amount of \$29,741.56 (including 22 direct deposits) and Accounts Payable check numbers 50955-51012 in the amount of \$114,741.56. Selectman Brown seconded the motion, motion passed 3-0.

13. Consent Agenda

Selectman Brown moved to approve the Consent Agenda for May 12, 2015:

- Forest Fire Report/Bill for:
 - Concord on 5/4/2015 in the amount of 409.86
 - Hopkinton on 4/29/2015 in the amount of 245.55
 - Hopkinton on 5/9/2015 in the amount of 590.96
 - Hopkinton on 5/10/2015 in the amount of 385.20
 - Northfield on 5/6/2015 in the amount 429.05
- Building Permit for:
 - Map 31 Lot 54
 - Map 10 Lot 102 (previously signed)
 - Map 10 Lot 19-1-1 (previously signed)
- Intent to Cut for:
 - Map 7 Lot 37 (previously signed)
 - Map 3 Lot 6 (previously signed)
 - Map 33 Lot 2 (previously signed)
- Timber Tax Levy's in the amount of: (All previously signed)
 - 317.52

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

14. Public Comments

- A. Barbara Annis said the Town Administrator's report for the last meeting said that Provan & Lorber offered their services to review the fire station site, she asked if they have a contract. The Town Administrator said the proposal from Provan & Lorber is for \$1,750 to complete a preliminary assessment on the land in relationship to the aquifer; the contract has not yet been signed. Barbara said there are other firms that the Town has done business with and have treated the Town well but yet the Town keeps going back to Provan & Lorber. It seems the Town is not giving the opportunity for others.
- B. Judy Newman-Rogers said she understands the Town Administrator researching the Department of Labor for hourly and salary people but she said the original request she brought forward was to bring to the Selectman's attention that there is an RSA regarding elected and appointed officials. Judy asked what is the status on that. The Town Administrator said one way to look at this is, if the Town has elected officials that have been treated as employees, have seen themselves as employees, has been directed by the Town through Town vote to be treated not as elected officials but as other employees. The Town Administrator said then the question is does that RSA really hold and at this time he does not have the answer, but, will be contacting the Town Attorney.
- C. The Bookkeeper/HR Coordinator, Tracey Hallenborg, asked the Selectmen for direction because back in March the Town Administrator and herself met with HealthTrust about the new health insurance that is coming into play. At that meeting Tracey was told that information on plans will not be available until October but there are new plans and the information will be sent to Tracey. Tracey was not aware about the Committee being formed and she asked if she should stop gathering information. Selectman Carson said he

was not aware that Tracey was already gathering information and will need to rethink the Committee.

15. Adjournment

Motion was made and seconded to adjourn at 8:27 pm. Motion passed 3-0

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

Recorder of the Minutes: Mary Whalen