



# Warner Board of Selectmen

Meeting Minutes  
Tuesday, June 9, 2015  
APPROVED

Chairman Hartman opened the meeting at 6:00 pm.

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

Others present: Tracey Hallenborg, Marianne Howlett, Martha Mical, Barbara Annis, Judy Newman-Rogers, Rebecca Courser, Nicholas & Patricia Mitchell, Ed Mical

## **1. Tax Deeding**

A. Tax Collector, Marianne Howlett presented documentation regarding a property located at 198 Horne St. which the Selectmen elected not to do a waiver on. Marianne provided a copy of the Tax Collector's deed that she prepared along with a packet of information showing when all the mailings were done throughout the process. Also, Marianne included a copy of a warrant article from 1993 that was passed which addresses the selling of property taken for taxes. The abutting property owners would be noticed if the property is sold. Plus a copy of RSA 80:89 which talks about the right to re-purchase the property by the person indicated on the deed at the time of tax deeding. Marianne also recommended recording the deed as well.

## **2. Transportation Advisory Committee Report**

- A. Barbara Annis attended the TAC meeting last Friday at the Central NH Regional Planning Commission. Barbara reported Bill Watson from the Department of Transportation, Administrator for Community Planning and Development was the speaker. When the gas tax was initiated last year part of the money was to go to State bridge aide, and up to now, the DOT operating budget included bridge aide which was used to catch up on the 10 year bridge aide program, however, this money is not in the DOT operating budget which brings them back to square one. The Highway Block grant was restored to the communities. DOT will be looking at the 10 year plan and hopefully presented to Governor and Counsel in July.
- B. Barbara talked about the Road Surface Management System that has been utilized by Warner, Sutton, Bradford, Boscawen and Chichester, this version came out of Maine and now the University of NH has a version, Barbara said the DOT will still accept the Maine version. Warner has completed the road measurements and added all the culverts into the system at this point. Barbara said this software can be utilized for projects and wetland permitting. Selectman Brown would also like to see a better paving plan than in the past.

## **3. Safety Program – Adopt New Version**

- A. The program has been updated for the Selectman's approval. Once approved, the program will be presented to the employees and at that time the Selectmen can acknowledge the Safety Committee's efforts. Selectman Carson asked if any of the procedures in the program have been tested. The Town Administrator said fire and evacuation plans have been generated for the Old Grade School. The one for the Town Hall has not been practiced in a while. The Safety Program will assist in helping the employees work in a safe environment.
- B. Judy Newman-Rogers asked when the employees and Department Heads receive the Safety Program will there be a chance for the employees to make any changes or suggestions, if the Board adopts this program tonight will that option be provided? The Town Administrator said if anything needs to be adjusted it will be, this is a living document and he encouraged the Selectmen to move ahead and adopt; the Safety Committee has put a lot of work into this document.

## **Board Action**

Selectman Brown made a motion to adopt the new version of the Employee Safety Program dated March 26, 2015. Selectman Carson seconded the motion. Selectman Carson would like an acknowledgment letter included when the program is presented to the employees. Motion passed 3-0.

#### **4. Manifest**

Selectman Carson moved to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll check numbers 3699-3715 in the amount of \$31,525.55 (including 22 direct deposits) and Accounts Payable check numbers 51050-51119 in the amount of \$129,622.79. Selectman Brown seconded the motion, motion passed 3-0.

#### **5. Consent Agenda**

Selectman Brown moved to approve the Consent Agenda for June 9, 2015:

- Intent to Cut for Map 7 Lot 34
- Veterans' Tax Credit
- Timber Tax Levy's in the amounts of \$2,636.33, \$694.55 & \$1,158.52
- Gravel Pit Excavation Tax in the amount of \$260.54
- Building Permit for:
  - Map 34 Lot 009
  - Map 6 Lot 049-1
  - Map 10 Lot 18-5

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

#### **6. Public Hearing - Barn Preservation Easement Application**

- A. Chairman Hartman opened the public hearing at 7:00pm.
- B. The property is owned by Nicholas and Patricia Mitchell on 82 Collins Road. The Selectmen completed a site visit on June 2. Mr. Mitchell explained the passion he and his wife have for their property and would like future generations to be proud of the property as well. He said this is the second time the barn has been renovated. The barn was assessed for \$6,710, the size is 31'x 41', to rebuild the post and beam structure today would cost about \$120K. Nicholas said to date he has spent around \$33K on the barn. Nicholas is asking that the \$179.00 he pays yearly in taxes for the barn be placed on hold for 10 years based on the Barn Preservation Easement guidelines. Nicholas said he will reach out to others in Warner with historic agricultural structures to preserve them. Nicholas said preserving agricultural structures is a labor of love, the preservation easement is not a deal breaker at all, it's a matter of principal. Nicholas also thanked Rebecca Courser from the Historical Society for all her help.
- C. Martha Mical, Assessing Clerk, said because the Town is in the middle of a revaluation she requested of the Selectmen to not to lock in with the current assessed value, after the revaluation the assessment could be lower. The Town Administrator said the Selectmen decide upon the percentage only. Martha said the value of the barn is locked in for 10 years and the percentage is then used against that figure.
- D. Rebecca Courser from the Historical Society expressed her support for saving the barn. She likes the intimate setting of the property, a common New England farm.
- E. Chairman Hartman closed the public hearing at 7:14 pm.

#### **7. Accounts Payable Procedure Policy**

- A. A complete draft policy was presented to the Board for review and will be on the next Selectman's meeting agenda for approval.

#### **8. Roundabout Design**

- A. The Town Administrator is looking for the Board to either discuss the design further or is it the time to vote and move the project forward onto the Department of Transportation.
- B. Chairman Hartman still feels the Shell station entrance situation is not good and he doesn't understand why the alternative entrance solution can't be used. He said he heard Mr. Evans, owner of the Shell station, say the alternative would make it more difficult for the delivery trucks, there would be too many movements. Chairman Hartman also feels there will be accidental/deliberate exiting from the entrance as it is presented. Chairman Hartman said the vote will be 2-0, he feels McFarland Engineering has not given the alternative a chance and is very much favoring their solution.
- C. Selectman Carson said Mr. Evans made a fairly convincing case to him about wanting to have an entrance and an exit on both sides of the parking lot. It's a difficult lot and the roundabout doesn't make the situation any better.

- D. Selectman Brown said he went to the station and did some measuring, his concern is if a horse trailer came from Bradford and pulled into the first set of pumps closest to Route 103 the trailer will not be able to make the turn to go back to Bradford, they would be forced to go towards Warner. And he understands Chairman Hartman's concern as well, but his thought is, it is a 15 mph zone and there should be enough time to react to someone coming out the wrong entrance. He also understands Mr. Evans concern about losing an entrance.

### **Board Action**

Selectman Carson moved to approve the roundabout plans and send them onto the Department of Transportation. Selectman Brown seconded the motion. Motion passed 2-1.

### **9. Odd Fellows Building – Option Agreement**

- A. The option agreement with Bob Irving, the potential Odd Fellows Building developer; expired June 1. Selectman Carson said that Bob composed an email after the May 26<sup>th</sup> meeting and it seemed like the Board was trying to help Bob but Bob did not interpret it that way. The Selectmen are considering a 6 month extension with bench marks to meet. The Town Administrator said from an email that he read, Bob is not cognoscente of the grant money available. What needed to be impressed upon Bob in earlier emails is that these grants go through periods of cycles. There is an annual cycle for housing money, the deadline is July 27<sup>th</sup> and the grant award is done in the fall. The Town Administrator said grants need to be researched in addition to Bob looking at financial partners and the use of the building will be determined by how much grant money. If there is a lot of grant money for historical preservation and affordable housing that covers 60% then that's what you do. The Town Administrator feels Bob will have a difficult time finding financial backing without the grant money.
- B. Rebecca Courser who is a member of the Odd Fellows Building Committee said none of the members knew about the meeting on May 26 and she was upset. She agrees with the 6 month extension with the bench marks. She also feels if this developer does not work out and with the restrictions that come along with the building the development should end.
- C. Selectman Brown said he was personally discouraged when Bob met with the Selectmen on May 26<sup>th</sup> because Bob didn't have much information.
- D. Chairman Hartman said from Bob's email he indicated that he is very busy but the Town does need Bob to be focused on the building during the 6 months along with the involvement of the Odd Fellows Building Committee. He recommends contacting Bob to explain the Board is considering a 6 month extension only and see how Bob reacts to the time limit. If Bob has no interest then the warrant article next year will be for demolition costs as well as cleaning up the hazardous material.
- E. Barbara Annis questions the extension if Bob is too busy.
- F. The Town Administrator asked if it would make sense for Bob and the Odd Fellows Building Committee meet to brainstorm regarding funding options. Martha Mical said at the May 26 meeting it was concluded that a meeting, not a public meeting, with the Odd Fellows Building Committee, Christopher Closs (past proposed developer), Joe Mendola to brainstorm about funding would be arranged. Chairman Hartman said he had contacted Jim McLaughlin (Odd Fellows Building Committee) after the May 26 meeting and Jim contacted Bob which Chairman Hartman said was discouraging because Bob is too busy, he is working on two buildings. It did not appear that Bob was making the Odd Fellows Building a high priority. Rebecca said she is not comfortable about the meeting not being public. Selectman Brown said the meeting would have to be public if the Odd Fellow Building Committee is involved.
- G. Selectman Brown asked if the Board wantst to make a motion to extend the option for 6 months or does the Board want to wait to hear back from Bob Irving. Chairman Hartman said let's extend the option for 6 months and work on it from the point of view what gets done in 6 months is what will get done.

### **Board Action**

Selectman Brown moved to extend the Odd Fellows Building option agreement with Bob Irving until December 31, 2015 with up to date reports every 2 months. Selectman Carson seconded the motion, motion passed 3-0.

### **10. Approved Funding for Capital Reserves**

Chairman Hartman moved to direct the Bookkeeper to implement the requests addressed to the Trustees of the Trust Funds to transfer the following funds from the general fund to the capital reserve funds as listed below when tax money is available:

- \$10K Property Revaluation
- \$53K Highway Equipment
- \$165K New Fire Station site and design
- \$25K Fire Equipment
- \$10K Town Hall Improvements
- \$5K Hazard Mitigation at the Odd Fellows Building
- \$10K Police vehicles
- \$5K Department of Public Works Facility Improvements
- \$42K Library Building
- \$10K Contingency Fund

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

### **11. PA-28 Taxable Inventory**

A. Selectman Carson asked if there is a sense on how many towns use the form. Martha Mical said the majority do not use the forms. She said the forms helped when the school district provided a list of Warner students in the district but now she hasn't seen a list in several years from the school. Martha said every year she would send a list of children that did not belong to the Town of Warner back to the school. Chairman Hartman said the Town should request a list of Warner students for verification.

### **Board Action**

Selectman Brown moved not to implement the PA-28 Taxable Inventory Form. Selectman Carson seconded the motion, motion passed 3-0.

### **12. Response to Auditor's Questionnaire**

- A. The objective to the auditors questionnaire is for the clients governing body to perform an internal control risk assessment of its transactions and financial reporting system. The Town Administrator created draft answers for the Boards review.
- B. Selectman Carson said his general thought is the more information you give them about things that you think might need to be controlled better, those become action items. The Town Administrator said the purpose of the audit is to work with the auditors to bring out issues that are potential problems and address them.

### **13. Sanborn Head Contract to conduct Phase I and Phase II for Waterloo St.**

Selectman Brown moved to award the contract to Sanborn Head Phase I and Phase II. Selectman Carson seconded the motion. Judy asked how the administrative costs are paid back to the Town. The Town Administrator said hours will be logged, establish a pay rate and then a bill is submitted to the Department of Environmental Services. All were in favor, motion passed 3-0.

### **14. Town Policies and Ordinances New/Existing**

- A. The Town Administrator said there are a number of policies that the Board needs to look at review and make some revisions, plus there are new things that are changing that would warrant new policies. He asked the Board to have a discussion and come up with a plan to review these policies without getting bogged down with them.
- B. The Board wants the current policies located in one location, which they are, as well as a list of all.

### **15. Cable Franchise Agreement**

- A. At the first meeting with TDS, they presented the various programs TDS is implementing. The focus was coverage in Town and the Board was suppose to review a map of service.
- B. Ed Mical, Emergency Management Director, said he understands everything will be transferred to fiber optics and if another significant event happens and power is lost, land lines will not have power after 24 hours. What is in place after the 24 hours has gone by? Selectman Brown said during conversations with TDS he learned that cable will also be done away with in about 3 years. The Town Administrator said fiber

optics offers a lot of benefits, but the shortfall is losing service when there is a power outage after 24 hours. Selectman Carson asked Ed if he has spoken with fellow Director's about this issue. Ed, said he is going to a seminar tomorrow and will ask around.

- C. Selectman Carson said the Town should reserve the right to have Yankee Cable Network Channel as part of the package. Yankee could enter into a contract with the Town to provide that service. Ed asked if the Town will be able to post public information on one of the channels and Selectman Carson said yes, if the contract includes public channels.
- D. Martha asked if TDS provided maps that the Board could read. The Board said no, not yet, and Martha feels the ball is in TDS's ballpark because they need to provide maps that can be read. Martha feels it should be stressed to TDS to bring service to those who are unable to get satellite such as Cunningham Pond and Newmarket Road because they are wedged between two hills. Selectman Brown said if it's not economical for TDS to do so, it probably won't happen. The Town Administrator said the Town could set a 5% franchise fee and place 2% in an account until it builds up to a point where those areas can be addressed as a financial match. A meeting will be arranged with TDS for further discussion around these concerns. Martha recommended the Selectmen contact Central NH Regional Planning Commission for assistance as well.

### **16. Wage Comparison**

- A. The Selectman will meet on Monday, June 15 beginning at 3:30 pm. to begin discussing how to complete the wage comparison.

### **17. Town Administrator's Report**

Roundabout @ Exit 9: The Board will need to schedule a work session meeting to draft discuss the preliminary design and Gene's draft responses to the points raised in the plan's review by William Rose's office before a second meeting with William Rose is scheduled. In the second meeting with DOT, elements of the final design namely, signage and landscaping will be presented and addressed. The Selectman will meet on Tuesday, June 16 at 6:00 pm.

New Fire Station: Tim Grant reviewed the recommendations from the Planning Board and has presented a revised proposal to best to address the recommendations and questions raised by the Planning Board in the context of a site evaluation. The Town Administrator has copies of this proposal for your review and recommend that the Board schedule a work session to discuss this proposal, set a schedule for the public hearings and review objectives of the Fire Station Building Review Committee.

Audit of 2014 Finances: The auditors from Vachon Clukay were at the Town Hall last week and wrapped up their field work in three days. The Bookkeeper sent much of the information requested by the auditors via email in the weeks prior to their visit, which enabled them to work on the audit at their office saving additional travel time and expense in the field. The auditors reported that the field work went smoothly with no concerns arising regarding reports of town financials for this year. There are some follow up documents that need to be sent to Vachon Clukay, which are in the works. We should expect a draft report of the audit findings by the end of August.

Odd Fellows Building: The Town Administrator contacted Weston Solutions, Inc., the firm that conducted Phase I & II hazardous materials assessment of the Odd Fellows Building and requested a proposal for next level testing of soil and subsoil contamination in the basement as that is the next step in the assessment process. Lisa Kammer, our contact at Weston, stated that a proposal will be forthcoming by July 1. I have contacted another environmental engineering firm for a proposal as well.

Public Works Department: Tim Allen reports that the crew will be finishing up the street sweeping today, winter sand is in the storage bay and the salt bay is being sealed this week to receive 600 tons of salt that will be delivered next week. The reclamation work on the town gravel pit is wrapping up and Tim has been grading some of the roads hardest hit by the winter. Paul DiGeronimo is doing the lawn mowing and grounds maintenance for the Town at this time. His hours are being billed to the town buildings maintenance account.

Warner Police Department: The Warner Police Dept. held a bicycle safety rodeo under the guidance of Officer Ben Tokarz this past Saturday at the Simonds School.

## **18. Selectman's Other Business**

- A. Selectman Carson is suggesting adding a business section on the website for businesses to tap into for items such as the Zoning Ordinance and various links that would be an interest to businesses. Dan Watts has offered to work on it along with a volunteer from the Planning Board. Planning Board Chair, Rick Davies, wants to make sure the interest in this was coming from the Selectboard not the Planning Board before a Planning Board member volunteers. The Board agreed to move forward with this idea.
- B. Selectman Brown noticed surveyors at the State shed located next to the Transfer Station. He stopped in and talked with them thinking it had something to do with the Town inquiring about the land and learned the State is surveying all the State sheds.
- C. Chairman Hartman asked if the scales at the Transfer Station are working. The Town Administrator said no but they are working to resolve the issue.
- D. Barbara Annis asked if the bulletin board located at the rail trail was paid from the grant or from the operating budget. The Town Administrator said the board was paid from the grant.

## **19. Town Clerk's Office – Fees**

- A. Town Clerk, Judy Newman-Rogers, informed the Board as of July 1, 2015 the Town Clerk's fee for processing will increase to \$2.00.

## **20. Meeting Minutes**

Selectman Brown moved to approve meeting minutes dated May 6 & 12, 2015. Selectman Carson seconded the motion, motion passed 3-0.

## **21. Nonpublic Session**

Chairman Hartman moved to go into nonpublic session at 9:19 pm. under RSA91-A:3 II (e), sale of real estate. Motion was seconded by Selectman Carson. A roll call vote was taken. Selectman Hartman – yes, Selectman Brown – yes; Selectman Carson – yes

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

The Town Administrator informed the Selectmen the former owner of Map 29 Lot 001, is interested in purchasing the property back.

Chairman Hartman moved to come out of nonpublic session at 9:32 pm. Motion was seconded by Selectman Brown. A roll call vote was taken. Selectman Brown – yes; Selectman Hartman – yes; Selectman Carson – yes

## **22. Adjournment**

Chairman Hartman moved to adjourn. Motion was seconded by Selectman Brown all were in favor and the meeting adjourned at 7:32 pm.

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

Recorder of the Minutes: Mary Whalen