



Warner Board of Selectmen

Meeting Minutes
Tuesday, September 29, 2015
APPROVED

Chairman Hartman opened the meeting at 6:04 pm.

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

Others present: Nancy Martin – Conservation Commission, Martha Mical, Tracey Hallenborg, Ed Raymond – Fire Chief, Brian Monaghan – Captain, Sean Nichols, Matt Boyer, Lauren Gibbons, Mickey Violette, Bill Chandler, Judy Newman-Rogers, Martha Mical, Barbara Annis, Rick Davies

1. Conservation Commission - Grant

- A. Nancy Martin, Conservation Commission Chairperson, met with the Selectmen to discuss the acceptance by the town of a grant that was received by a group of representatives from 5 towns working together to secure a designation of the Warner River into the NH Management and Protection Program. The grant is from the Environmental Grass Roots Association in the amount of \$1,500. If the town chooses to accept the grant, the town will be the fiscal agent so that Central NH Regional Planning Commission can assist them in the development of documentation that needs to be put together to take the project to the legislature who will vote yea or nay on whether the Warner River will be included in the protection program.
- B. Nancy said CNHRPC will do the work and bill the town for their services. The other towns involved in this project include Hopkinton, Sutton, Webster and Bradford. A committee will be pulled together to do the paperwork that is needed for the application for the legislature. Selectman Carson asked what the acceptance means. Nancy said the acceptance allows the Commission to set up an advisory committee which would include a representative from each town that would oversee any project in the 5 towns that would directly impact the Warner River. The committee can only make recommendations that would impact the river. Nothing changes, local ordinances stay in effect and no property owners rights are affected. Nancy said property owners would need to go through the same state permitting processes. The committee would have a chance to look at the permit application and make recommendations as to whether they thought the impact is in the best interest of the river.
- C. Martha Mical said if the committee doesn't recommend a project it could affect a property owner. Nancy said we are only allowed to make recommendations, the property owner would go back to the town and it would be up to the town to abide or ignore the recommendation. Martha asked where do the recommendations go, to the Planning Board? Nancy said she does not know that yet, she knows the committee will only have the capacity to make recommendations. Martha would like the voters to have a say in whether they want to do this. Nancy said this project has been in process for 2 years, with many meetings, and in conjunction with other towns, Nancy said this has not been done under secrecy, this is the third application, 2 others were turned down. Chairman Hartman believes this will give the river management committee the official opportunity to have input. Selectman Carson thinks of it as friends of the river, he said you can't have one town up stream decide they're not going to be a friend of the river, and downstream towns be a friend. Nancy said what happens in one town impacts others, she said the Contoocook River has been in the river management protection program for a very long time.
- D. Chairman Hartman said this nomination would go to the state legislature for review and create an act in their session to be placed in their state program. He said Martha's point is we should think about the general public, he also believes this program strictly depends on existing state law. He said the program had its Genesis when the federal government created a wild and scenic rivers program which the federal government granted money to the Department of Interior to go out and search the United States to find the best examples of wild scenic and recreational rivers, which they did. New Hampshire created a program that paralleled the federal program. Martha said the town has voted down scenic highways several times and that's why she feels it should go before the voters, she doesn't mind if the Board accepts the grant but she

thinks it should go before the voters to ask if they want to participate. The Town Administrator said if the Board chooses to put this before the voters in March, it would be advantageous to write something up in the town's Newsletter that explains what the voters will be voting on because right now he is confused, he is not clear on the end product and how it truly impacts the citizens of Warner. Nancy said she would be happy to write an article for the Newsletter. The Town Administrator said there will be an October issue and then another in January. He said this has been a 2 year process and the Commission was previously before the Selectmen and received approval to proceed, and he thinks a general understanding is needed on what's going on. Selectman Brown is also in agreement that the voters should have a say.

- E. Selectman Carson asked if other towns applied for grants and did they receive the money? Nancy said the strength of their application is that it is a collaboration of representatives from 5 towns who feel this is a worthwhile project. The grant application stands on its own merits, that it is a group effort to protect the river, not just one town; the grant is for all 5 towns.

Board Action

Chairman Hartman moved to first hold a public hearing to accept the unanticipated funds in the amount of \$1,500. Selectman Carson seconded the motion. The Town Administrator said he will schedule the hearing for October 13 if it meets the required time-frame and at that hearing the Board will decide if the project should move on to the Legislature. Motion passed 3-0. Nancy said she will have a hand-out ready for the public hearing.

2. Consent Agenda

Selectman Brown moved to approve the Consent Agenda for September 29, 2015:

- Timber Tax Levy in the amount of \$1,333.89
- Building Permit for:
 - Map 3 Lot 27
 - Map 10 Lot 74-2
 - Map 14 Lot 39
 - Map 3 Lot 005

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

3. Manifest

Selectman Carson moved to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll check numbers 3827-3841 in the amount of \$29,994.03 (including 21 direct deposits) and Accounts Payable check numbers 51419-51463 in the amount of \$203,979.52. Selectman Brown seconded the motion, motion passed 3-0.

4. Fire Department – New Hires

- A. Fire Chief, Ed Raymond, introduced Captain Brian Monaghan who is the Chairman of the Screening Committee. Brian said they have 4 new members that have been voted onto the staff in the last 6 months, Matt Boyer, Mickey Violette (4th generation), Sean Nichols (4th generation) and Lauren Gibbons (EMT). Selectman Carson thanked the 4 for volunteering. He then asked the Fire Chief for the total number of staff. Ed said the count is at 39. Chairman Hartman also expressed his appreciation as well and called for a motion.

Board Action

Selectman Carson moved to accept the nomination of Matt Boyer, Mickey Violette, Sean Nichols and Lauren Gibbons as official members of the Warner Fire Department. Selectman Brown seconded the motion, motion passed 3-0.

5. Meeting Minutes

Selectman Brown moved to approve meeting minutes dated September 2, 8, 15 & 22 with one correction on September 2, page 4, the vote on a motion was indicated as 2-0, Selectman Brown believes it should be 3-0. Selectman Carson believes on September 15, the discussion about Red Chimney Road where he asked 2 questions which seemed like they were redundant, and thinks he asked one and someone asked the other. With no further discussion the motion passed 3-0.

6. Paid Holiday – New Language

- A. This discussion was tabled until the next meeting, further clarification is needed on how to calculate overtime with respect to a paid holiday. Selectman Carson asked if the policy will be posted for comment. The Town Administrator said yes, once the Selectmen agree upon the language. Selectman Carson asked if any back-pay is being held up because of the lack of having this policy in place? The Town Administrator said no, the current policy is in place, until a new policy is proposed the present policy stands. Selectman Carson said

the intent of the Board was to provide all full-time employees with 10 paid holidays. The Town Administrator said yes, that was the intent, but no motion was made, the Board was waiting for new language to be looked at and accepted and that is where this topic stands. He said the last discussion the Board had was what are the implications of doing retroactive. One solution is to provide floater holiday's to those who missed any holiday based on the current policy, otherwise all the quarterly reports to FICA, Social Security, IRS will need to be changed. Selectman Carson asked how he can turn the intent into a motion. The Town Administrator recommends first looking at the new language, post the new language on the website for input and move from there. He will have the language ready for the next meeting.

7. Town Administrator's Report

Energy Efficiency Audit: The Town Administrator met with representatives of LighTec, Inc. to review the results of an energy usage analysis of the Warner town hall, Police Station and DPW Garage with respect to energy usage for lighting. This analysis is part of an energy efficiency program sponsored by EverSource. The analysis shows that changing the light bulbs and florescent tubes in these buildings to more energy efficient lighting can save up to \$5,100 annually. Under this program EverSource will cover up to 50% of the cost of conversion and the town is responsible for 50%. The town's share of the cost for the full conversion is estimated at \$23,241. However, using EverSource's Smart Start program, the town will pay 55% but the cost would be rolled into the electric bills over the next 4 to 5 years so the town does not have to pay their share up front. Meghan Hoye of LighTec wants to work on the analysis further to determine if the town would be eligible for rebates from EverSource, which would reduce the town's share further.

Selectman Carson asked what type of lighting is EverSource proposing. The Town Administrator said he can provide him with the information, the intended lighting would be a combination of LED and high efficiency halogen. Selectman Carson said EverSource offers a program for energy efficient appliances for a very low cost as well. The Town Administrator said Erin Greene from the CAP agency called him and told him the two freezers were replaced with energy efficient freezers. He will check to see if there are other appliances that could be replaced.

Selectman Brown asked if the Highway Department lighting is on the program as well. The Town Administrator said there is a plan to change the lighting there as well.

Capital Improvement Program: The CIP committee held their third meeting on Sept. 17 to review CIP requests from the Fire Department, DPW and Transfer Station for Equipment replacement and a new project request from the Town Clerk to develop a plan for record retention, which would include a formation of a Capital Reserve Fund to design and construct a fire proof, climate controlled space in which to store and protect historical and vital records.

Roundabout Design: A draft of a letter outlining the wishes of the Board regarding the landscaping of the "Green Center" is in the Selectmen's packet as well as sent via email. One suggested change from Selectman Carson was made. If the letter covers the list of recommendations, the Town Administrator is looking for approval from the Board to send it on to McFarland-Johnson.

Selectman Brown asked if hard wiring will be added to the roundabout as well as a solar source. The Town Administrator said yes, while the solar source is investigated. Selectman Brown said it doesn't need to be wired, he feels it would be wise to install the piping for future use so the road doesn't have to be torn up again. The Selectmen provided their nod of approval for the letter.

Planning Board: In the Selectmen's packet is a draft letter from the Board of Selectmen to the Planning Board in response to their letter of recommendations pertaining to the proposed fire station site for the Selectmen's review. Rick Davies, PB Chair, suggested that the Planning Board receive a written response to their letter.

Chairman Hartman said the public hearings for Map 34 Lot 20-2 will be on October 15 and 27, both beginning at 7:00 pm.

The Planning Board would like to review the response at their October 5 meeting. Selectman Carson wanted more time to read the response, he said he may be the first odd person out on some of the comments and doesn't know if it is reflected in the response. Chairman Hartman said the Planning Board is aware of the division and feels it is important to officially get back to the Planning Board with the answers to their letter. Chairman Hartman gives his nod of approval for sending the letter to the Planning Board, they all agreed. Selectman Carson said he wants it reflected in the minutes that he may not concur with everything that's in the letter. The Town Administrator clarified with Selectman Carson whether he meant the letter or the findings. Selectman Carson said the findings.

8. Public Hearing – Gift of Land

- A. Selectman Brown said Map 22 Lots 14,15 & 17 are part of the gift lots from Governor Ordway, there were 11 lots in total all privately owned and located on Kearsarge Mt. along the State Park road which is a Class III road. Chairman Hartman asked if that classification is governed by a state statute that would not allow buildings? Selectman Brown said a few years ago there was a 200 acre lot that the owners wanted to develop but the state didn't want the property developed because the park road is not maintained from the toll gate up in the winter. He also said the state cannot prevent a property owner from accessing their property beyond the toll gate, he owns land beyond the toll gate and the state had to provide him with the combination to the pad lock.
- B. Martha Mical would like the Board to accept these lots and then put them on the market for sale. Martha said the 200 acre development was denied a building permit because there is no access to the properties during the winter months, she said that still stands. The Town Administrator asked if a summer camp could be built. Selectman Brown and Martha said if the structure meets the zoning requirements and if approved by the Zoning Board of Adjustment because the road is not a Class V road.
- C. The deeds need to be researched to see if there are any other restrictions and Chairman Hartman would like time to look through them.
- D. Public hearing was closed at 7:15 pm.

9. Wage Comparison Study

- A. The Town Administrator presented color graphs as requested for the Board to review. The graphs show all the towns that were chosen for the comparison, with population, low hourly wage, high hourly wage, and where the Warner employee sits on the graph.
- B. Chairman Hartman said this is primarily a discussion amongst the Selectmen this evening to discuss where they go from here. The Town Administrator said the comparison was completed to see if Warner is in-line with other towns. The comparison is showing Warner's starting ranges are among the lowest and the higher range is not as high as the majority of the towns. There are about 10 positions that are at the top of their pay scale.
- C. Selectman Carson suggested the study should just show the job titles that Warner uses and then indicate on the same chart in the notes the different positions, he feels this would be easier to compare. Such as Warner has a Bookkeeper, Hopkinton has a Finance Director, this should be listed on the Bookkeeper information indicating in the notes the difference. Selectman Brown would also like added the grade and step along with the hourly wage indicated on the graph as well of the employee holding the position.
- D. The Town Administrator asked the Board if overall they think the Warner wages are competitive. Selectman Carson feels he can get a better observation once the study is updated showing the Warner positions and the differences from town to town indicated in the notes. He said it's looking like the minimums and maximums on the wage scale need to be adjusted.
- E. Selectman Brown said the town has 10 employees that are at the maximum scale, he feels that should be addressed.
- F. Chairman Hartman asked if the study is in a form to have available on the website with an added page explaining how the study was completed. The report needs to be consolidated first before publishing it. The concern that needs further discussion is longevity. The Selectmen have to meet the November 12 Budget Committee time-line for wages and health benefits. The Selectmen will meet again on October 8 at 3:30 pm to have a work session focused on compensation.

10. Planning Board Sub-Committee – Exaction Fees for Exit 9 Area

- A. Selectman Carson reported that exaction fees for the exit 9 area was discussed at the last Planning Board meeting given the potential activity at exit 9, and does an exaction fee want to be considered. The idea is to have a joint meeting with members from the Planning Board, the Selectmen and the Water District and talk if it makes sense to have exaction fees. He asked the Board if they think this is a good idea. Planning Board member Barbara Annis, said by law, Warner can create the formula, these fees can only be used for certain things such as highway, water and sewer within a certain amount of time. Planning Board member Rick

Davies feels discussion is needed, is there some other way that this should be looked at? Selectman Carson said there is something new called a special assessment district that can be looked at as well.

- B. Selectman Carson said a representative from Central NH Planning Commission could provide information on all that is available. Selectman Brown is concerned establishing exaction fees or impact fees could discourage development at exit 9. Chairman Hartman said McDonalds was charged for extending the sewer and water lines plus a pumping station for \$25K each year for about 10 years, he said that is similar to an exaction fee, and they still built.
- C. Chairman Hartman asked who is going to organize the meeting. Selectman Carson recommended the Selectmen organize the meeting inviting the Planning Board and Water District to begin discussion. The Town Administrator will arrange the meeting after he learns who will be the Planning Board representatives, most likely it will be Rick and Ben Frost plus the Water District will be contacted.

11. Other Business

- A. Selectman Brown said he received a complaint about a timber cut on Kearsarge Mt. Road the excavator crossed a brook. Assessing Clerk, Martha Mical, said there is an intent-to-cut for the property, she said she drove up there, the brook was not widened, but, there was some clearing along the brook.
- B. Selectman Brown is trying to obtain costs for a fire suppression system at the highway garage, he will research the vendor who did the fire department.
- C. Selectman Brown would like a letter drafted to the Men's Club asking permission to use their sign in the roundabout. As well as a letter to Weaver Bros. regarding their property on Schoodac Road asking if it is available for sale.
- D. Selectman Carson said the bike signs are missing on Waterloo Bridge and new ones need to be posted. There have been 2 serious bicycle accidents this summer.
- E. Selectman Carson reported that 3 solar array companies respond to the RFP and the committee met to discuss them. He is hopeful 2 will provide presentations.
- F. Selectman Carson said the Town Administrator received input from the attorney on the Azmy agreement. The opinion is the Azmy agreement is still in force going forward at this point. Selectman Brown said it sounds that way but we can't inspect. The town needs evidence of a violation before it can go back to court.
- G. Chairman Hartman attended the Health Summit today. He was enlightened once again about his lack of understanding on all the conditions that go into making sure the town's employees are offered coverage and the chance to participate.

12. Public Comments

- A. Town Clerk, Judy Newman-Rogers said she asked for a nonpublic this evening. The Town Administrator apologized and said he forgot about it and will schedule it for the next meeting. Selectman Carson asked if the Board can fit it in tonight and Chairman Hartman said they are not prepared for it.

13. Adjournment

A motion was made and seconded to adjourn at 8:52 pm.

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

Recorder of the Minutes: Mary Whalen