



# Warner Board of Selectmen

## Meeting Minutes Tuesday, January 5, 2016 UNAPPROVED

Chairman Hartman opened the public session at 6:00 pm.

### **1. Nonpublic Session**

Chairman Hartman moved to go into nonpublic session at 6:03 pm. under RSA91-A:3 II (a), compensation. 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, Mel Furbush

The Town Administrator said both he and the DPW spoke with Mel about taking on the newly created position that includes building maintenance and working at the highway garage. Mel toured the buildings, he said the key is preventative maintenance. He will be keeping a log for each building. Mel would also maintain a plow route and both he and the DPW feel the position will be split 40% building maintenance and 60% highway department. Mel also has property maintenance experience which he offered as a reference.

Chairman Hartman asked what the arrangements are with the Library. The PWD is handling the yard work and the sidewalks. Mel and the Selectman talked about all the buildings in general.

Selectman Carson asked if this position is contingent upon budget approval at Town Meeting. The Town Administrator said the position is in the 2016 budget, typically wages and salaries are not used to balance a budget that wasn't approved at Town Meeting. Chairman Hartman understands this new position is covered from the building maintenance cost along with some seasonal part-time hours and Mel's regular hours. This is a new position that includes a wage increase and a position upgrade. Mel knows of someone doing the same thing for the Town of Sunapee and he said it works well.

Chairman Hartman moved to come out of nonpublic session at 6:30 pm. Motion was seconded by Selectman Brown. A roll call vote was taken. Selectman Brown – yes; Selectman Hartman – yes; Selectman Carson – yes

### **2. Public Session**

Chairman Hartman opened the public session at 6:30 pm.

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

Other present: Ed Mical, Judy Newman-Rogers, Marianne Howlett, Barbara Annis, John Leavitt

### **3. Offer of Employment**

Selectman Brown moved to offer the job to Melvin Furbish as Facility Supervisor/Highway Worker, grade 7 step 2 for \$18.26 per hour. After a successful 6 month probation period Mel will move to grade 7 step 3 for \$19.17. Selectman Carson seconded the motion. Chairman Hartman said this position is a combination of building maintenance/public works. Selectman Carson asked what the effective date is and the Town Administrator said January 1, 2016. Selectman Carson added an amendment to include the effective date of January 1, 2016. Motion passed 3-0.

#### **4. Emergency Management**

- A. Ed Mical, Emergency Management Director, said he received an email from the Town Administrator asking for a reduction in his budget in the amount of \$500 from his supply line and \$200 from travel and expense lines. Ed wanted to make sure the Board is aware that he is updating the Emergency Operating Plan this year. Ed said he did some calculations and feels comfortable with the reduction in the supply line. The Town Administrator said he is happy with the reduction in the office supply, he can leave the travel and expense line as is.
- B. Ed said as part of the EOP grant program he had said the he would work towards getting people NIMS (National Incident Management System) compliant. Ed presented a memo to the Selectmen asking them to take the on-line course to do so. It will take about 3 hours, Ed provided a time sheet for them to track there time and it will be calculated as part of the towns match. Ed said if the Selectmen prefer he can have a Homeland Security representative come to the town and present the course, again it will be about 3 hours. The Board prefers the representative coming to the town. Ed said the course can also be offered to other towns at the same time, Ed will get back to the Selectmen.

#### **5. Manifest**

Selectman Carson moved to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll check numbers 3980 - 3995 in the amount of \$32,988.72 (including 22 direct deposits) and Accounts Payable check numbers 51789 - 51839 in the amount of \$138,429.41. Selectman Brown seconded the motion, motion passed 3-0.

#### **6. Consent Agenda**

Selectman Brown moved to approve the Consent Agenda for January 5, 2016:

- 2016 Forest Fire Warden/Deputy Reappointment Form
- Timber Tax Levy in the amount of \$1,584.06
- Veteran's Tax Credit for Map 4 Lot 12
- Elderly Exemption for Map 34 Lot 26-1

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

#### **7. Meeting Minutes**

Selectman Brown moved to approve meeting minutes dated November 24, December 7, December 7 nonpublic, December 8,15 & 22, 2015. Chairman Hartman seconded the motion. Marianne asked if the changes she requested in the December 8 minutes are in the final version and the Board said yes. Selectman Carson asked to table the December 22 minutes. Chairman Hartman moved to approve meeting minutes dated November 24, December 7, 7, December 7 nonpublic, December 8 & 15. Selectman Carson seconded the motion, motion passed 3-0.

#### **8. Old Business**

- A. The public hearing for the grader lease will be held on Tuesday, February 2 during the Selectman's meeting.
- B. The public hearing for the solar array is scheduled for Wednesday, February 3 located at the Town Hall.

#### **9. 2016 Operating Budget ~ Final Version**

- A. The proposed increase for the Selectmen stipend has been removed.
- B. \$5,000 was added for headstone repairs.
- C. Winter sand has been reduced from \$15K to \$5K.
- D. The total increase to the operating budget is now at 1.97%

#### **Board Action**

Chairman Hartman moved to forward the 2016 operating budget with a 1.97% increase to the Budget Committee. Selectman Carson seconded, all were in favor, motion passed 3-0.

## **10. Review 2016 Capital Budget Draft**

- A. Exit 9 improvements is now showing \$85,755 because the project was pushed back and everything raised through taxation has lapsed. The Town Administrator didn't get the information until December 31, according to the RSA for lapsing funds the money needed to be encumbered before the end of 2015 or reintroduce the article in 2016 as a carry over. The Town Administrator needs clarification on fiscal year meaning December 31<sup>st</sup> or when the books close, he is waiting to hear back from the Department of Revenue Administration. If the Board can't encumber the money, there will be another warrant article.
- B. Judy said the town record preservation money was not deposited into a capital reserve fund, it was encumbered for 2015, she asked if that will effect the capital budget total. The Town Administrator acknowledged that, and will make a notation on the sheet. The Town Administrator asked Judy when will the preserved books be sent back to the town and she wasn't sure. He said if the books arrive this month the money can be paid out, but, as a precaution the Board will encumber the funds to be on the safe side.
- C. The Town Administrator has arranged and numbered the warrant articles from the advise he received from DRA; the expensive items should be up front.
- D. Chairman Hartman said he is extremely unsure about the new fire station site acquisition. The Newsletter says it is the highest priority the station is in the village district, and then they recommend a site outside of the village district. He doesn't feel the fire department is set about where they want to be and he is not comfortable going to Town Meeting with any sites.

John Leavitt said if the Selectmen and the Fire Department are in union together he feels the petition won't pass. He said it's the constant not being on the same page that has people misunderstanding what's going on. He was upset at the meetings for the land because Fire Department didn't speak in favor of it and he couldn't understand why.

Selectman Brown would like to hear the Fire Department's rational for wanting the property next to the original site just outside the village area. Chairman Hartman doesn't feel this will be ready for Town Meeting. Selectman Carson agrees with John, the Board is not on the same page as the Fire Department. Selectman Brown is concerned about the warrant for the land, he doesn't feel it will pass. The Town Administrator believes one of the reasons both are not on the same page is because the town doesn't have enough information on the site the Fire Department currently has an interest in with respect to the cost to have the site fully developed for construction. Selectman Brown feels the Board should meet with them to learn their rational, and then talk about the cost to develop the site.

Barbara Annis said she is going to a Transportation Advisory Committee on Friday, a grant is being applied for a highway safety audit, she said only one other town in this district is applying for the grant. She said if your looking at the easterly approach of Old Main Road just opposite of the proposed site, she doesn't feel it's a safe place and the safety audit could be something the town could look into. The application must be submitted by January 20<sup>th</sup>, she said she would find out the details on Friday. The Board asked her to pursue the grant.

John asked what would it cost the town to take a property by eminent domain. Selectman Carson said most likely any property worth taking would have a house on it and would cost the town a lot of money compared to what is being looked at.

- E. Marianne asked in what order is the warrant article for Exit 9, if it is going to be on the warrant. The Town Administrator said it's article 10. Marianne said she would like to see that article in the beginning, she knows it's not a big ticket item, but, right now it's behind an article that could be contentious. The Town Administrator thought that was a good point and suggested moving it to be article 6.
- F. Marianne understands the property the Selectmen are now talking about is the one owned by the Whiting family? Selectman Carson said yes. Marianne said if the Fire Department is settled on that site the Selectmen should go to the voters and ask to keep the property next to it. The Selectmen said that would be part of it.

- G. The final approval for the roundabout is expected on about 2 weeks. The state sent the town a notice saying they were a month behind for approving it. The engineering firm has asked the town to prepare a request for reimbursement from the state.
- H. The Town Administrator is waiting to hear back from the attorney regarding the petition warrant article.
- I. Selectman Brown asked if the Board can meet with the Fire Department soon to talk about the land. The Town Administrator will try to arrange a meeting next week. Basically the warrant is ready, the only change that may happen is the warrant for land for the Fire Department may be removed.

### **11. Health Trust's Certificate of Authorizing Resolution**

- A. The town is with Health Trust for the dental program and Health Trust wants to make sure there is someone on record that the Board has authorized to be the signatory.

#### **Board Action**

Chairman Hartman moved that the Board of Selectmen authorize Jim Bingham, Town Administrator, to be the authorized agent for the Town of Warner, NH to deal with Health Trust Dental Program. Selectman Brown seconded the motion, the motion passed 3-0.

### **12. Solar Array – Loan Application to Rural Development**

- A. Selectman Carson said one of the things that makes this Solar Array project happen is the combination of the Community Development Finance Authorities and Rural Development's interest in this project, they have offered to finance it. The application is due January 8<sup>th</sup> and will be eligible for consideration for a \$25K grant and financing for the remainder of the project after the rebate from the state at 3.4% interest rate.

#### **Board Action**

Chairman Hartman moved to authorize the Town Administrator to complete and sign the application to Rural Development for the loan/grant for the Solar Array Project. Selectman Brown seconded the motion, motion passed 3-0.

### **13. Discuss/Approve Letter to the Sutton Board of Selectmen**

- A. Chairman Hartman read the following letter into the record:

Dear Board Members of the Town of Sutton:

Thank you for your letter of November 9, 2015 and we apologize for our delay in responding to your concerns. The Board of Selectmen inquired into the concerns that your letter raised regarding a recent survey of the Warner Town Forest as expediently as possible. The Board met with the members of the Chandler Reservation Committee, as well as the town forester, and together with the committee members and town forester reviewed the survey of the town forest again, as well as the survey that you conducted of the town boundary between Warner and Sutton that you kindly provided us. Upon this extensive review, we have concluded that the discrepancy in the location of a boundary pin raised by the owner of the abutting property, a matter that requires a resolution between that property owner, whose land abuts the town forest and the Town of Warner, does not effect the town boundary between Warner and Sutton. Our mutual boundary line predates the property boundaries in question and the disputed locations of the marker pin are in Warner and affect only the abutting private property lines.

That stated, it is clear that a perambulation of our mutual boundary is in order and we would like to schedule a time, preferably after town meeting on March 8, weather and terrain conditions allowing.

If you wish to meet with us about your concerns that the town boundaries are somehow still affected by the apparent disagreement as to the location of this marker pin at Meadow Brook near North Road, at the Warner Town Forest, we will proceed to call a meeting at a time convenient to both Boards in the coming weeks. Jim Bingham, our Town Administrator will work with Elly Philips to schedule a date and time.

Yours truly  
Warner Board of Selectmen

## **Board Action**

Selectman Carson moved to send the letter to Sutton as written. Selectman Brown seconded the motion, motion passed 3-0.

## **14. Review and Approve Requests for Encumbered Funds**

Chairman Hartman moved to encumber the following, all of which have invoices for the encumbered amount.

- \$15K for winter sand for 5,000 yards at \$3.00 per yard from O. Fred Hill, delivery made within 60 days.
- \$8,147 of the balance of funds from the special warrant article #18 for preservation of town records.
- \$816 for Assessing outside services line for the partial cost of binding and preserving assessing records.

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

## **15. Review YTD Revenue and Revenue projections for 2016**

- A. The revenue projections are lower than previous years because there are no special projects bringing in reimbursements. There will be another review in September and at that time the figures can be firmed up.
- B. Marianne would like the Board to think of October to set the tax rate this year, not November. Also, she asked what makes up line 419, under 2015 actual revenue, for other grants on the revenue sheet. The Town Administrator said that is made up of reimbursements received and anticipated for Bartlett Loop and the design portion for Exit 9.

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

Roundabout Design: Construction easements have been sent to abutters to the Roundabout construction site for their review. These easements need to be granted prior to soliciting bids for construction.

Odds Fellows Building: Another local contractor has expressed interest in talking with the Board about acquiring the Odd Fellows Building if Mr. Irving decides not to continue with the project. The final report on the testing of surface soils in the basement of the building was received from Weston Solutions, Inc. The report estimates that approximately 13 cubic yards of soil will need to be removed and disposed as hazardous waste. The cost of removing this soil quantity including costs for project oversight, sampling and analysis and preparation of final report is estimated at \$22,024. The optional cost for adding clean back-fill and oversight is \$6,125. A printed copy of the full report on the testing is available at the Selectmen's Office.

John said he spoke with the real estate developer who Bob Irving had consulted with about the feasibility of developing the Odd Fellows Building and he said he advised Bob that the project was not feasible and doomed to failure; the rental projections were too high. Selectman Brown said Bob called him last night and said things are looking good. John is hesitant about putting any money into the capital reserve.

## **17. Other Business**

- A. Selectman Carson is working with EverSource in terms of trying to identify how the town is going to account for electric costs with the solar array. He is working on a presentation.
- B. Selectman Brown said Bob Irving called him about stopping the water from running through the Odd Fellows Building. He said something can be done fairly cheap to stop the water and would like to get together with the DPW to make a berm with cold patch.
- C. Selectman Brown did find that the road that runs along the Donovan's property down at Melvin Mills is a town road, he found this from researching railroad maps. A warrant article will be presented at Town Meeting to revert the road to the Donovan's.
- D. Selectman Carson said he heard on the news that the upcoming Primary is the first real exercise where we might have to take pictures of people. Judy said she is reading an update to the law, there is a training session on January 27 for election officials. If a voter does not a photo ID, they can sign an affidavit saying they are who they are and a Polaroid 2 x 2 picture will be taken and attached to the affidavit and sent to the Secretary of State after the election.

- E. Chairman Hartman said the campaign sign that was hung across the road was removed by EverSource.
- F. Judy said January 20 is the first day for candidates to declare candidacy, January 29 is the last day for declaration, her office will be open from 3:00 to 5:00 pm.
- G. Judy contacted the Secretary of State regarding bonds and David Scanlon told her as far as the money articles, the bond article should come first and the voting needs to stay open for one hour, it can be extended but not shortened. He also recommended taking on non money articles during the open period. And having two ballot boxes, he recommended not having two votes going on at the same time. The less confusion the better. He also recommended contacting town counsel as well.

**18. Adjournment**

A motion was made and seconded to adjourn at 9:00 pm.

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

Recorder of the Minutes: Mary Whalen