



**Warner Board of Selectmen
Meeting Minutes
Tuesday, February 16, 2016
APPROVED**

Chairman Hartman opened the meeting at 6:04 pm.

In attendance: Selectman David Hartman – Chairman, Selectman Allan N. Brown, Selectman Clyde Carson

Excused: Jim Bingham – Town Administrator

Others present: Marianne Howlett, Bob Irving, Roy Morrison, Kate Foley, Jim McLaughlin, Barbara Annis, Marianne Howlett, Judy Newman-Rogers

1. Contract for Lien and Deed Research

A. Tax Collector, Marianne Howlett, presented a contract for liening and deeding. The cost is \$10.89 for each name researched. Marianne has used Sanders Searches LLC for about 4 years and finds it to be accurate and competitive. Marianne needs to provide names to this entity by the end of this week for deeding research. Marianne said as far as she can tell the contract is the same as last year.

Board Action

Selectman Carson moved to approve the contract for Sanders Searches LLC for 2016 for \$10.89 per search, the total will not exceed \$740.52. Selectman Brown seconded the motion, motion passed 3-0.

B. Marianne talked to the Selectmen about a property on Kearsarge Mountain owned by Thomas Ordway. There are 3 small lots and he has not paid his second issue 2015 tax bill. Marianne said she would assume if the town is going to own these properties the Selectmen would consider abating them.

Board Action

Selectman Brown moved to abate the taxes in the amount of \$59.59 for Thomas Ordway 3 gift lots on Kearsarge Mountain that he wants to deed to the town. Selectman Carson seconded the motion. Martha Mical said it should be noted that it is the town's responsibility to create the deeds. Motion passed 3-0.

2. Phone Contacts

A. Marianne is requesting an updated phone list be created and distributed to the staff, she provided an outdated list of phone numbers as an example.

B. Marianne asked when working on the weekend at the Town Hall and there is a building issue how/who should be contacted? Chairman Hartman said he contacts the Director of Public Works and agrees the phone list should be updated.

3. Odd Fellows Building

A. Bob Irving and Roy Morrison met with the Selectmen to provide an update. Bob introduced Kate Foley from CATCH Neighborhood Housing. Roy said they are moving towards applying for a Community Development Finance Authority Planning Grant in April. The planning grant will be the key item, using the building for housing only will probably not be economical. But using the building as a community development space for planning, business training, education and other things that interest the community that may include some housing, the project becomes both grant-able, attractive and financially viable. Bob and Roy have had on-going conversations with CATCH to figure out what the long-term relationship is. Right now, it looks like the town would apply for the planning grant and then Bob and Roy would set up the non-profit. The non-profit would become the owner of the building and have a relationship with CATCH, but that may not happen. What they are going to try to do, up to the time of the planning grant, is to really understand what the best options are for the building to be presented to the Selectmen.

B. Selectman Carson asked for clarification on the community development space. Roy said there is substantial funding possibilities and tenant possibilities for example like a business incubator space, education and training space. He said they would work with the town to figure out the needs of the town. Kate Foley said it depends on what type of financing, working with CDFA the first initial step is the feasibility grant

which is a \$12K grant to identify the use of the property. Once there is a clear identification on what is best suited for the building then the financing is figured out. Kate said CDFA likes to work in a holistic way going full term so it's much more viable that it would be funded later if they were a participant in this type of feasibility upfront and that would be through CDBG or state tax credits, so the ownership entity would need to be a nonprofit to take in those types of grants. Selectman Carson asked if there were other example's around the state. Kate said its become quite popular around the state elsewhere doing things like co-working spaces, job force training and business incubation. The building is not large enough for CATCH funding. The feasibility study will determine the most economical use.

- C. Chairman Hartman said he is sure it was explained about the town's commitment to this building over the past 15 years, he thinks there has been a lot of sentiment about wanting to preserve the building as a landmark building in the town center. The town has also worked with the School District to secure parking for the building, at that time for housing.
- D. Martha Mical said the grant application is due in April and asked when the grant will be awarded. Kate said the award is scheduled in July. Martha said then the town should know by next Town Meeting if this project will be viable. Roy said yes, that's the plan. Bob said one of the things he would like to use the \$12K for is for an architect.
- E. Selectman Carson said the town would apply for the feasibility study grant, the grant would be approved and use an architect who would be doing a community draft for the building. Bob said the more community involvement the better chance to save the building. Selectman Carson asked who would be involved in the planning process. Bob and Roy said they would play a role.
- F. Selectman Brown said the town has not yet finalized anything with the School District yet. The town will move forward with the School District after the fate of the building is learned.
- G. Martha M. asked if the grant is not approved does that end the project for Roy and Bob. Bob said they are looking to find a way to save the building, if the grant is not approved and we can come up with another idea then they will look at that.
- H. Martha M. asked who will be writing out the grant. Bob said he would do his best to complete the grant application working with the town to make sure it is completed correctly. Jim McLaughlin said in the past Donna Lane has acted as the town's grant writer and monitor, he said that would be the easiest route to go. Kate said the requirements of the feasibility study should be looked at first, it may be an easy narrative to write. Jim McLaughlin pointed out the town did receive in 2008 a feasibility grant for the building, the purpose was to look at the engineering and architectural aspects of it for low to moderate income households. Barbara Annis asked where the results of the 2008 study are. Jim said there are copies of the final report in the Selectman's office.
- I. Martha M. said the town has current CDB grants through the Water District, can that have an impact? Kate said it depends on the dollar amount on an annual basis. If this moves forward it would be for 2017 and as long as there is no other commitments in that year funding would be available.
- J. Bob and Roy will let the Selectmen know in March about their progress.

4. Manifest

Selectman Carson moved to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll check numbers 4032 - 4049 in the amount of \$31,245.70 (including 20 direct deposits) and Accounts Payable check numbers 51951 ~ 52003 in the amount of \$412,498.12. Selectman Brown seconded the motion, motion passed 3-0.

5. Consent Agenda

Selectman Brown moved to approve the Consent Agenda for February 16, 2016:

- Application for Restoration of Involuntarily Merged Lots (3 sets)
- Application for Current Use for:
 - Map 15 Lot 56-2
- Building Permit for:
 - Map 15 Lot 59

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

Board Action

Selectman Carson moved to approve un-merging of the parcel on Map 11 Lot 6 that includes properties listed in the book of deeds 3483 page 1767 and book 3424 page 1725. Selectman Brown seconded the motion, motion passed 3-0.

6. Meeting Minutes

Selectman Brown moved to approve meeting minutes dated January 11, 14, 19 Public & Nonpublic, 26 Public & Nonpublic, February 2 Public & Nonpublic, February 3. Selectman Carson seconded the motion, motion passed 3-0.

7. 2016 Town Warrant

- A. The Selectmen reviewed and signed the final 2016 Warrant. Martha M. asked if any changes were made after the Budget Committee vote and the Selectmen said no.
- B. Martha M. said in the recent Newsletter, it says "There will be 19 warrant articles involving nearly \$3,970,000.00 to discuss and vote on", she said the Budget Committee only voted on \$3,541,049.00, what is bothering her is there are 3 different figures, she said the differences need to be explained. The Selectmen will talk to the Town Administrator about the differences. Selectman Brown reviewed the Warrant and said it was what was discussed at the Budget Committee public hearing.

Board Action

Selectman Brown moved to approve the 2016 Town Warrant as written. Selectman Carson seconded the motion, motion passed 3-0.

8. Winter Maintenance Policy

- A. Selectman Brown moved to accept the Winter Maintenance Policy that was created by the Director of Public Works and the Town Administrator. Selectman Carson said typically the policy is posted on the website for two weeks. The motion was tabled until after receiving public feedback.
- B. Selectman Brown would like to see one change in the policy which has to do with defined snow plow routes, he would like a line added that says "subject to change at the discretion of the Director of Public Works.

9. Town Administrator's Report

Chairman Hartman read the following report:

Roundabout Design: William Rose's office has sent comments on the final design plans to the Selectmen's office and McFarland Johnson, which are now under review. William Rose apologized for the long delay in sending these comments citing reduced staffing and increased workload at the NHDOT for the delay in responding to this submission. McFarland Johnson is moving quickly to provide responses and recommendations to the latest comments so that approval of the Roundabout design be made ASAP.

Chairman Hartman said included in the letter from DOT, the project is not ready to go out to bid.

Selectman Brown said the same comments were made by DOT before someone else looked at it. He said the Selectmen went over the vertical granite curbing at a meeting with DOT, and they said it was a good idea and now that there is a change in staff the final design is starting over again. As far as Selectman Brown is concerned the town lost the best bidding window. Chairman Hartman said the engineering firm will be contacted to relay the Board's concerns and sentiment.

NHDOT property, 32 Waterloo St.: Sanborn Head has completed initial research of historical records of the state property and preliminary site investigation has been conducted. The firm has submitted the phase I Environmental Site Assessment (ESA) Report and an updated work scope proposal for Phase II services to NHDES for their review.

Marianne asked how would one obtain a report. Chairman Hartman said by contacting the Town Administrator.

NH Dept. of Labor: On Feb. 9th I had an informal conference with inspectors at the NHDOL to review the findings of the inspection of Warner's payroll records that was conducted last fall. There were a several record keeping violations mostly attributed to incomplete I-9 forms of long term employees, and not properly notifying employee of wage changes, for which the town received a warning. There were six violations found in the record keeping, which garnered a proposed fine of \$600. In the course of the conference where deficiencies were addressed and compliance was demonstrated the fines were reduced by \$400. Some of these deficiencies involved time sheets not being properly completed and a miscalculation in wages due, which we documented as having been resolved within a day of discovery. The full inspection report is in the read file in the Selectmen's office.

Selectman Carson said since 9/11 every employer is required when a person is hired to prove they are eligible to work in the United States by filling out an I-9 form. There may be long term employees that still may need to complete the form.

Martha M. said she had to complete an I-9 form and is concerned this information is not being kept secured. She also feels the town is not being good about keeping track of these pieces of paper. Selectman Carson feels the town needs to review that. Selectman Brown said the information is in a locked file cabinet and if someone breaks in, the lock is only as good as the lock is good. Martha agreed, but at least the town would know someone broke in.

Judy asked if it is known if the town can keep copies of driver license photo's? Selectman Carson said the law says so. Judy said in her office she cannot make a copy of a license for a vital record request or for voting or anything similar, that's why she was curious.

Barbara Annis said what bothers her is the fact this wasn't done since 9/11, there was a Town Administrator that was paid a lot of money, and she sees this as one more thing that fell through the cracks. Martha M. said an I-9 was filled out for her minus her social security number and license signed by the Bookkeeper of that time. Selectman Carson feels most employers are deficient in some of these categories.

Martha said what is not listed in the DOL report is the fact it was stated very clearly that know one is to change someone's time sheet, it's against the law, and she was wondering if anyone knows how much the fine was for that because there was a violation of changing a time sheet that was reported in the report. Selectman Carson feels it's not the fine that is critical, it's the practice, the practices need to be identified and communicated not to be continued.

Town Report: The Town Report has been proof read and being printed tomorrow. The town Newsletter has been submitted as well and we are awaiting proofs.

10. Pillsbury Free Library Allotment Payment Agreement

- A. Chairman Hartman noted that the Library Trustees provided bonuses from their account not from the town's account, therefore, the town cannot account for the mistake.
- B. The proposal to be made to the Library is to provide quarterly payments up front to the Library instead of monthly payments. Selectman Carson feels it is important when making quarterly payments to have a method that is easy to understand based on budgeted figures. This proposal will be presented to the Library for their consideration/concerns.
- C. The proposal is to provide \$10,675 quarterly, the town will continue to process the Library's payroll/benefits which will cost \$144,244.36 from the \$186,937.68 allotment from the town. The Board agreed to have the Town Administrator present this current proposal to the Library.

11. Solar Array

- A. Selectman Carson has been meeting with Rural Development and went through all the application information, there are still some items needed, he delivered some needed items today. There are two pieces, one is for the Office of Energy and Planning which needs to do an inter-agency review and the other is an application to EverSource for the rebate.
- B. Selectman Brown asked Selectman Carson if he got a chance to talk to EverSource about the cost of improving the line. Selectman Carson said he spoke with the gentleman that approves the application who basically said EverSource's stance on that is if they absorb that cost they would have to pass it on to the other rate fares. Selectman Carson asked don't you guys have to do this anyway? He said no. Selectman Carson said the project is still cash positive.
- C. There will be a second public information session on March 3 beginning at 7:00 pm.

12. Nancy Sibley Wilkins – Funding Requests

- A. Chairman Hartman reported that the Nancy Sibley Wilkins Advisory Committee met on Thursday, February 11 and voted to grant \$1,500 in support of the 7th Annual Tory Readers Series and \$1,000 through the United Church of Warner for financial support for the Kearsarge Maple Weekend.

13. Public Comment

- A. Barbara Annis asked the Board if they have given any thought about Town Meeting. She feels by the time the election results are read, the dedication, etc. will take the meeting to 8 o'clock and she feels the solar array article could take at least another hour. Martha M. said presentations could be limited to 10 minutes.
- B. Judy commented that there were 2 sets of minutes not completed because the recorder battery died. The minutes were transcribed up to that point. She asked if it would be fair to say or suggest who ever was at the meeting should finish the minutes? Selectman Carson said the minutes should be finished.

14. Nonpublic Session

Chairman Hartman moved to go into nonpublic session at 7:54 pm under RSA 91-A:3 II (d), consideration of acquisition, sale or lease of real or personal property. Motion was seconded by Selectman Brown. A roll call vote was taken: Selectman Hartman – yes, Selectman Brown – yes, Selectman Carson – yes.

Selectman Brown said he called the state about the driveway permit because it hasn't come it yet. He does have the market analysis from Rhonda Rood and Steve Brown. He said the biggest thing is Steve Brown says the fair market value is between \$220K to \$225K and Rhonda said it would be in the \$215K range. Selectman Brown would like the Town Administrator talk to Peter Smith (overseer of the property) to negotiate a price.

Selectman Brown had Tri-State Environmental take samples and is waiting for the results. He will call both the state and Tri-State to see were the driveway permit is and the testing results.

Selectman Brown said the next step is to talk to the people who own a strip of land between Map 34 Lot 15 and the road. The Board told Allan to move ahead and talk to the property owners.

Chairman Hartman asked the Board if the plan is to announce this choice of site prior to Town Meeting? Allan is wondering if a public hearing can be held before Town Meeting. Clyde said the Board could hold a public information session.

Allan said he has been thinking of standing up at the end of Town Meeting asking the voters to rescind the vote of 2012. David does not feel it can be brought up at the end of the meeting. Allan disagrees.

Allan feels the same thing could happen as it did to the Egan property and a petition will be generated from the public hearings.

Allan said it will take about \$15K to demolish the buildings on the property.

Chairman Hartman moved that this nonpublic session adjourn, seconded by Selectman Brown. A roll call vote was taken: Selectman Hartman – yes, Selectman Brown – yes, Selectman Carson – yes. Meeting adjourned at 8:14 pm.

15. Adjournment

A motion was made and seconded to adjourn at 8:20 pm.

Board of Selectmen

David E. Hartman

Clyde Carson

Allan N. Brown

Recorder of the minutes: Mary Whalen