



**Warner Board of Selectmen  
Meeting Minutes  
Tuesday, August 9, 2016  
APPROVED**

Selectman Carson opened the meeting at 6:00 pm.

In attendance: Selectman Clyde Carson - Chairman, Selectman Allan N. Brown, Selectman John Dabuliewicz,

Absent: Town Administrator – Jim Bingham

Others present: Ed Mical – Emergency Management, John Pfeifle – Chair and Jim Bibbo of the Bradford Selectboard, Judy Newman- Rogers, Barbara Annis, Jonathan Lord, Martha Mical, Marianne Howlett

**Note:** Clyde explained the public hearing that was scheduled for this evening has been canceled, the Selectman's office learned the notice time is longer than what was noticed in the paper and will hold the hearing in September.

**1. Review Emergency Operations Basic Plan**

- A. Emergency Management Director, Ed Mical. Reported the Incident Command Class will be held sometime in September, when he has a firm date he will contact the Board as well as surrounding communities and the college.
- B. Ed began the review of the basic plan. The following are highlights from that review.
- The United Church has offered to take on the responsibilities of the shelter/warming center at the Town Hall by staffing and coordinating.
  - Northeast Catholic College has offered to act as a secondary warming center to serve the residents on Kearsarge Mt. Road.
  - Ed said the Library is not part of this plan, he said there was talk about the Library creating their own plan. But Ed said he can bring them in on the plan. He said the Town Hall would be utilized first and you the Library only if necessary.
  - There are 15 emergency support functions, one that changed is agriculture and natural resources, this has been added events that have happened. It's dealing with horses and animals in general.
  - Ed said under the emergency support function the Selectmen are responsible for public information.
  - There will be a hazardous material, terrorism and radiological annex.
  - The National Incident Management System resolution adopted in 2009 will be included in the plan.
  - Part of this grant application a table top exercise will take place in September and at the time the Emergency Operation Center will be activated.
  - Ed said the critical facilities in town have been identified, Simonds School, North Ridge Housing, Pine Rock, Library, College, Old Grade School building are working on creating their own plans for emergencies. Clyde asked if they are included in the September deadline. Ed said no, their plans will be referenced.
  - Ed talked about the department heads involved as well as the Building Inspector and Health Officer. Clyde asked if for some reason one of these key people were not in town when the emergency occurred, should there be a designated alternate? Ed said yes.
  - Ed talked about the importance of tracking all the expenses that are incurred during a disaster and how that would be compiled during and at the Emergency Operation Center versus trying to put the picture back together after the fact. It has been learned from past disaster's compiling the information during the disaster will be more efficient.
  - The Board will need to decide in the event they are not available during a disaster who will be in charge overall for the incident. Ed said there will be an annual meeting arranged in either January or February, departments will get together and review the plan and the emergency support functions and make any necessary adjustments. After a new Board, there will be a page that will need to be updated annually and concur with the plan as it stands. Clyde said the Board will update their responsibilities after March election as well. John asked who is the Deputy Emergency Management. Ed said there isn't one.
  - The Board will review the entire document and send any questions or concerns on to Ed.

- Allan asked Ed how many hours has he put into this update. Ed said he's been averaging about 4 to 5 a week working on the updated plan plus the meetings. Ed said he will also presenting his recommendations for the Emergency Operation Center for this up coming budget process.

## **2. Shared Services**

- A. John Pfeifle, Chair and Jim Bibbo of the Bradford Selectboard, met with the Board as a follow up to their meeting last fall. John said Warner is the town that showed strong interest in shared services. John passed out to the Board a copy of their expenses to date along with a comparison of Bradford and Warner.
- B. John feels there are certain areas that should be looked at first and then others can be followed up later. John noted areas that could be looked at and considered under shared services such as Finance, Cemeteries, Insurance, Police, John would like to see Warner consider putting the Bradford and Warner Police Departments together. John said when he is talking about saving money, he wants to save hundreds of thousands of dollars. He said the two Police Departments are at \$900K, could you do the same thing for \$750K, that's the kind of thing he thinks both town's should understand.
- C. John said there is a huge difference in the cost to run the Fire Departments, Bradford is at \$55K, Warner is at \$174K, he would like to look at this in terms of capital expense. John said Bradford Fire Department is 100% volunteer, no wages are paid. John said this is an area that warrants discussion, especially from a capital point of view. John said he would like to see one department between 3 or 4 towns, with each town retaining a small presence, but being able to react from both and not have the huge costs for four different towns for equipment. John said Bradford has joined with Henniker, we also sold our ambulance and purchased a first response vehicle. We then terminated all part time employment and now the Fire Department is 100% volunteer. There is a very strong volunteer group of 13 people running a very good situation. John thinks if there is a multi-town situation doing the same thing, why wouldn't we think about it. Allan asked John, you don't pay your fire fighters on-call, for training or anything? John said they all make \$15 per year to be insured, 100% volunteers.
- D. John talked about the Highway Department, he thinks it's way down the line on how to put two highway departments together. John said Bradford maintains 61 miles of road for \$505K, Warner maintains 65 miles of road for \$960K. John said Bradford has 4 full time people. Clyde asked what Bradford budgets for capital. John said the trucks are up to date, there are 2 graders, one bought through army. The purchased a paver that can do small jobs. They also took an old tanker from the Fire Department and stripped it down and put a plow on and will be used for a highway vehicle.
- E. John said another area we all should be talking about is solid waste and take on some of Warner's residents that are located closer to Bradford. He would like some thought put into this idea. John said if Bradford, Warner, Sutton and Newbury to join, the Bradford station is dead central on Rt. 114/103.
- F. John would like the Board to take a look at the comparisons and come to Bradford with their thoughts. John said Bradford is extremely serious about sharing services. He feels by putting major departments together there are opportunities in NH to save some money.
- G. Clyde feels one area both towns could save is in health insurance.
- H. Barbara Annis asked if the Bradford Highway Department strictly highway or public works. John said 99.9% highway. Barbara noted there are some differences between the two departments.
- I. Jonathan Lord asked how would this combination work for grants. John thinks it could be very positive, but, he doesn't know that for a fact. He said there are towns in upper NH that are already combining resources. Jim Bibbo said if two towns apply for a grant the grant will be servicing more people.
- J. Clyde asked the Board if they would like to begin by bidding for health insurance together. John asked if the Board could go as far as having the two Police Chief's get together and talk. Clyde said no. Allan said he did mention it to the Police Chief. John said he heard he was not happy about it. Allan said he doesn't care if it's Police, Highway or Fire, they have their own bones. John said his Chief has said he would want to at least work with Newbury. John said we ought to find a way to save some real money. Jim said there are

turf battles are a big thing, but as Selectmen you have to look at the big picture, there Chief didn't expect to be the one in charge because he is part-time. Cooperative efforts save money.

K. Both Bradford and Warner will look at health insurance together.

Meeting paused for 5 minutes or so

L. Marianne said it was worth the chuckle listening to those two. Allan said the meeting with them last year was very interesting, the town did combine heating oils bids with Bradford for this coming heating season.

M. Judy said wasn't the transfer plant going to head up to Bradford to be part of.. or vice versa, because our plant can accommodate so much more (a lot of background discussion) so why don't you have Bradford buy into it, build it and come down here (a lot of background noise). Allan said it's called cost factor, they actually took right of ways down through there because many many years ago it was actually a thought because our plant is 3, 4 times bigger than what we need. Marianne said that's what is hurting their main st. they don't have water and sewer. Clyde said the thing with the oil, he just read today, we would have gotten the same price with or without Bradford. Marianne said with insurance make sure your really comparing.

N. Ed asked the Board if they awarded the fuel contract. Allan said the Board chose Huckleberry. Martha asked if Rymes has the propane, the Board said propane has not been bid yet.

### **3. Projects**

Town Hall Front Lawn: Clyde had nothing new to report. Allan asked Clyde if he got the email. Clyde said we occasionally get an email that says we want the trees or we don't want the trees. An email came in this week asking to keep the trees. Martha asked what did they recommend. Clyde said nothing, they just want the trees to stay. Marianne said cobble stones have been mentioned and she asked the Board if they are going to look into that? Allan said the project is on hold, but the pine tree will be coming down. Marianne said you could explore the price of cobblestones. Allan said cobblestones would cost 3 times as much compared to what is planned, it's labor intensive.

Odd Fellows Building: Allan said an RFP needs to be approved.

### **Board Action**

Selectman Brown moved to approve the RFP for the soil removal project at the Odd Fellows Building. Selectman Dabuliewicz seconded the motion, motion passed 3-0.

### **Shed for the School**

Allan said the trees have been cut and the area will be cleaned up after the school project is done. Clyde asked if the Board wants to talk about the shed. Allan said yes, he doesn't have the quote that came in from Nate Burrington. He said he did research sheds from Reed's Ferry which are pre-built which run from \$6,000 to \$7,000 for a standard shed, but it wasn't the custom shed the way the school wants it. Allan asked the DPW if he knew anyone to provide a quote and he said he would like to submit a cost and build it on his own time, and then today he called Allan and said the DPW decided not to do that because he felt there might be a ..... Allan said the DPW and the Town Administrator discussed it and the Town Administrator was not in favor of the DPW putting in a bid. Allan feels just because they work for us doesn't disqualifies employees from doing other jobs.

Allan said he received an email from the DPW which said:

*Allan*

*If the Board would like the Highway Department to handle the utility shed, I could take Ben France my part-timer and myself and put the thing together as soon as we get the site work done.*

Allan said the material will cost about \$4,300 and the labor to put it together will be about \$2,900, so the cost will be about \$7,200. Allan said the original estimate was for \$10,000. Clyde asked Tim doing himself on the weekend? Allan said Tim felt he could do for \$1,500 no more than \$2,000. Allan feels Tim had just as much right to put a price in as anyone, but he didn't. Allan said this project doesn't even meet the bid specification, we didn't go out to bid on the work for the lift. Clyde asked John for his thoughts. John said he would like to know about the conversation Tim had with the Town Administrator that caused him to change his mind. Allan said he thinks there was a little conflict

there. John said he would like to know, he said he can see the appearance of that being questioned by some people. Allan said this issue has to be resolved, and, they he worked this with the school, and he hopes the Board will support him on this. Allan said he made assurances with the school that this project would be completed when school starts. Clyde said unless Nate Burrington's cost is lower than the material plus the town costs, we will go with the town costs, unless we have some discussion with the Town Administrator that says we feel comfortable enough awarding it at a lower price. Clyde asked John if that sounds all right to him and John said yes.

Martha asked what is the town cost. Clyde said the material is \$4,300 plus the estimated town labor is \$2,900 for a total of \$7,200. Martha said am I correct that what the Board is approving is using town labor and not subcontracting it out. Clyde said the question is do we have an ethical issue by subcontracting it out to someone who works for the town but doing it on their own time. Martha said too small a town to (not audible). Clyde said he tends to fall on that as well, and if we did it that way we would save the town \$1,000. Allan said his goal was to keep this project as cost effective as we could keep it.

Jonathan asked when did we find out roughly how much this project was going to cost, the \$47,000. Allan said around July. Jonathan said being on the Budget Committee, I don't see a line item for this, where is this money coming from. Allan said Highway Department. Jonathan asked if there is a paper trails for this project. Allan said the DPW will keep track of all the costs associated. Jonathan asked if this money was a built in cushion? Allan said no, something else will suffer for it. Jonathan said OK.

Judy asked if the Highway builds the shed they will do it during their 4 day work week and it will cost the town \$7,200. Clyde said right. Judy said if the Highway doesn't build it, the town still pays their regular wages and they are going to earn what they earn for those 4 days, and then in addition, if an outside contractor does it we will spend an additional \$2K. Judy said so the project is really going to cost us the \$2K if the Highway doesn't do it, because if the Highway Department does it, it will be spent within the budget. But if someone does it outside the Highway Department it's going to cost us. Clyde said there will be \$2,900K spent on a shed instead of using that money to do something else. Marianne asked if they are aware of the completion date. Allan said he has been them very aware of the completion date.

### **Board Action**

Chairman Carson made a motion to have the Highway Department take the project on with \$3,300 for material and \$2,900 for internal labor with provisos that we can reach agreement with the Town Administrator we can do it through a sub-contractor with Tim Allen for a lower price, we will go with that. Allan said Tim told him he thought \$1,500 would cover the cost to build the shed. Allan would prefer to pay Tim the \$1,500 rather that \$2,900 for the contractor. John said also with the proviso that we haven't looked at the other bid. Selectman Brown seconded the motion, motion passed 3-0. John said he will touch base with the Town Administrator. Clyde said the intent of the motion is the Board will go with the lowest bid, provided we don't have any ethical issue that comes up with using a subcontractor labor that also works for the town.

Roundabout: Clyde reported there was a status meeting today. The water and sewer lines are being identified, silt fences will be installed. An official ground breaking ceremony will take place on August 12<sup>th</sup> at 9:30 am. The next status meeting will be held on August 23. Clyde said on September 6 the Board will be accepting unanticipated funds from Market Basket.

Economic Development: John said Daryyl Parker has compiled the survey.

Fire Department: Allan is asking the Board to approve the RFP for architectural services. Allan said he has some corrections that he will go over with the Town Administrator, he wants to make sure it's the Selectmen that have the authority stated in the document.

Clyde said he know the Fire Station Building Review Committee will be voting on the final size of the building on August 10. He thinks that should be presented to the Fire Station leadership to get their input as well. Allan feels the Board can still approve the RFP and then set up a meeting with the leadership.

### **Board Action**

Selectman Brown moved to approve the RFP for architectural services depending on the feedback from the Fire Station Building Review Committee on August 10. Selectman Dabuliewicz seconded the motion, motion passed 3-0.

Personnel Policy – No report.

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

Town Hall: The installation of the new handicap lift is complete and has passed inspection. Some cosmetic trim work and painting is all that remains. The stove in the kitchen is fully functional but requires someone who has been trained to start the pilot lights. Several town personnel have now been trained to light the stove.

Martha said you can't stand in front of the lift door when you press the button because the door opens automatically. Ed made a suggestion to place signage on the outside of the door warning people it opens automatically. Marianne said there is a sign on the door that says Automatic Door, but it opens and takes up a large area while it is opening.

Covered Bridge on Newmarket Rd.: The DPW's cost to repair the damages on the covered bridge is approximately \$4,820, including the full cost of town crew labor hours. We did submit a claim with Property Liability Trust, the town's insurance company. The Selectman's office drew up a repayment agreement with the owner of the trucking firm who has agreed to reimburse the town for the damages and an agreement to pay has been sent to the owner. The Police Department is following up on securing the agreement.

32 Waterloo St. State DOT Property: The environmental assessment of the former DOT maintenance shed property has moved to Phase II. Some questions regarding the monitoring wells came up at the last Selectman's meeting, which I discussed with Scott Nerney. Scott informed me that Sanborn Head's contract with the town is for two rounds of groundwater sampling. The first round occurred on July 28 and the second round is tentatively planned for Thursday, August 25. If there are no exceedances of the NH Ambient Groundwater Quality Standards (AGQS), NHDES will likely agree with a recommendation to decommission the wells. However, if there are exceedances, NHDES will probably request the wells (or a subset of the wells) be used as long-term monitoring points. If the wells can be decommissioned, Sanborn Head will submit a proposal to implement that process.

Roundabout: F.L. Merrill, Inc., is putting out construction signs and the sedimentation control today and this should take two or three days to complete. He also informed me that they don't plan to begin major construction until Monday, August 15.

Public Works Department: Work on the drainage system around the Library is completed. The crew is starting the construction of the retaining wall at the school basketball court and will follow with excavation of the hillside behind the Odd Fellow Building for additional parking.

#### **5. Capital Improvement Program Projects**

- A. A bond to build a fire station has been put off for one year. In 2017 money will be asked to complete the final design and cost estimate for the following year in the amount of \$190K.
- B. The hazardous material in the Odd Fellows Building will be mitigated in 2017, estimated cost is \$37K. This needs to be done even if the building is demolished. Allan said Weston Solutions provided him with a map to locate the monitoring wells around the Odd Fellows Building, he will locate them tomorrow.

#### **Board Action**

Selectman Brown moved to approve the CIP projects for the Fire Station and the Odd Fellows Building. Selectman Dabuliewicz seconded the motion, motion passed 3-0.

#### **6. Acquisition of School Property**

- A. The town has met the requirement stipulated in RSA 41:14-a in regards to the lot line adjustment between the town and the school district.

#### **Board Action**

Chairman Carson moved to approve the acquisition of school property as proposed per RSA 41:14-a based on the two public hearings, public, Conservation Commission and Planning Board input. Selectman Brown seconded the motion, motion passed 3-0.

- B. Allan said once the project is completed at Simonds School a surveyor will be hired to set the pins. A milar will be made and recorded, and then a deed can be generated.

- C. Marianne asked that the parking area that will be created behind the Odd Fellows Building be blocked on the school side. Allan said blocking that side is in the plans.

### **7. Ducks Unlimited**

- A. Allan said Dick Fisher keeps contacting him for a letter from the town saying that he has complied with everything the Board wanted him to do and he needs this letter so he can hold a Ducks Unlimited event. Clyde said where he is on this issue is neighbor versus neighbor and the zoning requirements are not necessarily clear. He feels the town should seek some sort of opinion as to what the town can or cannot allow and whether the town has any say at all. Allan said the Police Chief has been up there twice and has returned saying nothing is wrong. John agrees with Clyde about seeking an opinion in regards to zoning. Clyde said the other issue is holding events, it's not necessarily clear whether the town can say yes or not to the event. Allan said what if I have 100 people come to my house for a barbeque? Clyde said if you do it often enough on the same piece of land, are you now really a hunting club or a shooting range? Then the zoning ordinance does regulate a shooting range and where you can have them etc. Allan said what he is saying is we can't let this drag on because these events are advertised.
- B. Martha said when this was discussed previously, there was talk of regulating large gatherings at properties and it was decided by the Selectmen to not put in for an ordinance to regulate gatherings. Clyde said the zoning did add in the commercial area no camping. Clyde feels a legal opinion would be helpful. Martha said the property that is being discussed is thinking of removing the current-use recreational, permission will then be needed from the landowner.

### **8. Town Hall Kitchen Stove**

- A. Clyde said the sense of the Board is a certified technician needs to service the stove so that it is easy and safe for the public to use.
- B. Marianne recommended a \$40 propane leak indicator.

### **9. Meeting Minutes**

Selectman Brown moved to approve meeting minutes dated July 26 and nonpublic sessions on June 21, July 5 & July 26. Selectman Dabuliewicz seconded the motion, motion passed 3-0.

### **10. MS-535**

- A. Martha said the Auditor's need to be contacted and informed the MS-535 needs to be in on September 1, this form is needed to set the tax rate.

### **11. MS-1 – Approval**

Selectman Dabuliewicz moved to approve the MS-1 as prepared by Martha. Selectman Brown seconded the motion, motion passed 3-0. Martha provided hard copies to the Board.

### **12. Fall Foliage Festival – Approval to Provide Gravel**

Selectman Brown moved to provide 1,500 yards of gravel for the new area that is being created. Selectman Dabuliewicz seconded the motion, motion passed 3-0. This area will also be available for public use.

### **13. General Election**

- A. Judy said the last time we talked about the General Election we talked about paying the Supervisor's of the Checklist for the extra time that they will be there, but, she said she explained to the Board the Deputy hours for the election were taken away years ago and she always has to adjust and deduct from the time the Deputy works in the Town Clerk's office. Judy is asking the Board to consider an extra 5 hours potentially on election day so she doesn't have to cut back on the Deputy's regular office hours because we had an election.
- B. Clyde asked Judy if she will need a ballot supervisor for the day. Judy said she discussed it more to be included in the next budget because she wants the person to be able to go to training and learn about the regulations in place. Judy said she is not sure how she feels about having one for the next two elections because there is no training available. Judy said at the November election she will be action as the ballot supervisor.

- C. John asked if the extra five hours for the Deputy in the budget? Judy said no. John asked where will the money come from. Clyde said we will have to find the money, same for the extra hours for the Supervisor's. Allan said there will be a surplus at the end of the year. Judy said if she can get the extra money from her budget, she will make sure she will do that. She said she usually turns back money at the end of the year. Clyde added that hours in the past were provided for the Deputy in the Election budget, the hours were removed and never put back in.

### **Board Action**

Chairman Carson moved to approve 5 additional hours for the Deputy Town Clerk for the General Election in November. Selectman Brown seconded the motion, motion passed 3-0.

### **14. Public Comments**

- A. Ed Mical reported there will be 13 sailors that will be in town on August 28th. Barbara Annis said she wishes this visit or future visits could be involved with the school.

### **15. Nonpublic Session**

Chairman Carson moved to go into nonpublic session at 9:07 p.m. under RSA 91-A:3 II (c), reputation. Motion was seconded by Selectman Brown. A roll call vote was taken: Selectman Carson – yes, Selectman Brown – yes, Selectman Dabuliewicz, Selectman Carson – yes.

In attendance: Allan N. Brown, Clyde Carson, John Dabuliewicz, Marianne Howlett – Tax Collector

Note: The recording was turned on in the middle of a conversation. Clyde said would the County Sheriff be used to evict someone? Allan said you call the Police and have them removed, this is a criminal matter, not a matter for a Sheriff. She broke into the house, it was secured by a padlock. Marianne said maybe someone should contact Bank of America because she did not send a notice to them saying the town now owns the property.

Marianne said the original property owner still has 3 years to purchase the property back unless the Board fast tracks it through the courts. The deed was recorded in October of 2015.

Allan is more than willing to tell the Police Department to stay up there and get her out of there. The Board decided to seek legal advise on removing the individual from the town's property. Allan said the Police Chief should know the laws. Allan wants to move on this so it doesn't become a squatter situation.

The Board and Marianne discussed other properties up for tax deeding. The properties they decide to deed will be listed in the public session.

Chairman Carson moved to come out of nonpublic session at 9:37 pm. Selectman Brown seconded the motion. Roll call vote was taken: Selectman Dabuliewicz – yes, Selectman Brown – yes, Selectman Carson – yes.

### **Board Action**

Selectman Brown moved to take tax deeds on:

- Map 19 Lot 37
- Map 16 Lot 55
- Map 32 Lot 15

Selectman Dabuliewicz seconded the motion, motion passed 3-0. Marianne said she will type up the deeds and will make a packet showing all the notices and then it would be up to the Selectman's office to record the deeds.

### **16. Adjournment**

A motion was made and seconded to adjourn at 9:39 pm.