



**Warner Board of Selectmen
Work Session Meeting Minutes
Thursday, September 22, 2016
APPROVED**

Selectman Carson opened the meeting at 3:30 pm.

In attendance: Selectman Clyde Carson - Chairman, Selectman Allan N. Brown, Selectman John Dabuliewicz, Jim Bingham – Town Administrator

Others present: Nancy Martin, Scott Warren, Martha Mical, Barbara Annis, Phil Stockwell, Judy Newman-Rogers

1. Children's Brook Easement

- A. Nancy Martin, Conservation Commission Chair, said she passed out additional copies of the letter the Warren's sent to the Board as well as their memo to the Conservation Commission that outlines the conditions for the easement the Warren's are proposing, there is also a map of the proposed area. Allan said there was a question on who would monitor the easement. Nancy said she has been talking to 5 Rivers Conservation Trust, they are very interested but they want to wait and see how this is resolved first. 5 Rivers is interested in taking on the monitoring because of the visibility of it, they think that as new Conservation Trust it will afford them with some newspaper articles and visibility in conservation. Willow Brook has been identified as one of the sites where native trout live because of the high quality of the water. The cost of the monitoring is a minimum of \$7,500.
- B. John said a key part to this is who will hold the easement because the town can't hold an easement on their own land, having someone identified to do that is critical. Nancy said 5 Rivers is interested, Nancy hasn't pushed on anything until it is known what was happening with the town. John asked Nancy what she is looking for from the Board today. Nancy said she is looking for the Selectman's agreement to put a conservation easement on the 3 acre lot that has been taken by the town for taxes. Nancy said the Warren's proposal is contingent upon the easement being for the 3 acres and not just part of it. The Warren's will donate an easement on both sides of the stream on their property to protect the wetlands so that the children can continue to fish at the brook indefinitely; the children have been fishing there since 1954. Clyde asked what are the sequence of events that need to take place to make this happen. Nancy said she would like to be able to say to 5 Rivers the Selectmen have agreed to put a conservation easement on the town owned lot, with that in place, the Warren's will donate their easements. Nancy said the Conservation Commission will absorb the cost of the survey. Clyde said at one point the Board was talking about whether to put the entire piece in the easement or not, and as he understands it the deal is contingent upon the town putting the whole piece in conservation. Nancy said yes, and said she will let the Warren's speak as to why they feel so strongly about that.
- C. Scott Warren said the watershed is now remarkably in tact, it's going to be important in the long run to keep the water quality of the brook. He said he is willing to give up a lot of control over a 1/4 or 1/3rd of his property for the easement and thinks it's reasonable to ask the town to chip in an equivalent commitment to help maintain the water quality. Allan said he has always wanted to preserve that area and he thinks if we do put an easement on it he would like to see Fish & Game use the area for the Fishing Derby and picnics. Scott said he would like to use it for leverage with Fish & Game to put an easement on a strip of their land and there's another piece at the far end where the owner could be approached, he said there's not much you can do with the property because of the size, and taxes are being paid on it now. John asked if 5 Rivers would monitor the Warren's donated property? Nancy said yes, because she has been advised by Brian Hotz when there are two different owners it has to be monitored.
- D. Martha said in reference to the comment about paying taxes on a small piece of land, she said even with an easement you still pay taxes on the property.
- E. Jim brought to the Board's attention, the discussion on July 26th, he read from the minutes the following:
Jim said the Board also has the authority to sell the land without going to Town Meeting. Jim asked Nancy if she is looking for the Board to grant the easement? John said the question that's been raised is here by the Board, Mr. Warren asked only to protect the floodplain, not the rest of the lot, and now Allan

brought up the idea of protecting the entire lot. Chairman Carson feels if the Board wants to protect the entire lot it should go to Town Meeting.

Jim wants to make sure the Board is aware what was said before, so what ever decision is made is in context with the discussion on July 26. Nancy said when the question was asked of her, whether or not the Warren's would still donate their easement if the easement on the town parcel is a partial easement. She then called Scott who said his easement is contingent upon the easement on the entire 3 acre town parcel. Clyde said if we had known that on July 26 the Board's thought process may have been different too. Nancy said that's why Scott is here today to clarify that.

- F. Martha said you can have a building site on a lot with a conservation easement, she asked the Warren's if the town put the whole property in current-use, but have a portion of it for a building, are you willing to let the town do that? Scott said he would like to keep that watershed in tact. Nancy said having a house on a steep embankment assures erosion into the stream and part of the Commission's interest is protecting the quality of water that's in the stream now.
- G. Phil Stockwell said Sue and I created that lot, we wanted to keep it in the family but we didn't have the money to own the whole 16 acre piece so we divided it up, he's not sure a septic system will go on the 3 acre lot and he thinks the lot is problematic from a building standpoint. He said it might be advantageous to go to Town Meeting with this, and it might be worthwhile to investigate if a house can be built on the lot. He thinks a more important point is with the shooting range you would be hard pressed to get someone to want to build there, you have no idea unless you live there. Allan said a gun enthusiast may want the property.
- H. Clyde asked if it would make sense to also try to add the other small piece at the end of Bartlett Loop and make this one big package and then get the monitoring for the whole piece before moving forward? Nancy said she has talked to that property owner several times and she doesn't think he's is ready to do that.
- I. Barbara Annis asked if the Commission has shopped around for less monitoring fees. Nancy said the quote of \$7,500 was provided by Brian Hotz, he was speaking in general and it would be a one time fee, and Nancy said no, they have not shopped around.
- J. Clyde asked the Board what they want to do. Allan would like to put an easement on the entire property. John said not having the details, the Board should approve the concept and say yes, the Board is willing to do this. Clyde said to Nancy if we do this, that gives you the OK to talk to 5 Rivers, with no commitment at this time, but say we are in favor of doing this.
- K. Jim said in that paragraph he read from July 26th, Nancy said at the very least, the Conservation Commission would take this to a public hearing so people can hear what we are talking about and voice their concerns about whether or not it should have a dwelling on it. Jim said the only reason why he brings this up is the Board has been having to deal with issues of acquisition and having to follow RSA 41:14 so that if it's not something that goes to Town Meeting at least the Board has been holding public hearings. He said if a conservation easement is placed on this parcel, the Board is making a decision of a marketable piece of property without getting any public input. Clyde said the Board is not approving anything today, we are saying we are in favor of the easement and Nancy will start to pull the deal together. Once everything is pulled together, a public hearing can be scheduled. Phil Stockwell said wasn't it said the Selectmen have the authority to do this, ultimately, but you're saying it would be better to have the public hearing. Jim said yes, for the sake of transparency someone might say the property should have been sold to bring in revenue. John thinks 41:14 still needs to be followed.
- L. Clyde suggested we get a sense of the Board that we're in favor of this, Nancy can move forward and obtain the information the Board needs and then when that's ready a public hearing will be scheduled. Nancy confirmed the information the Board needs, the full support of 5 Rivers to do the monitoring. The Board said yes.

Board Action

Chairman Carson moved the Board give Nancy Martin permission to move forward with this project and come back to the Board with the information requested and at that point the Board would make a decision to have a public hearing and move forward. Martha Mical suggested adding to the motion that the lot would not be allowed to have a building on it. Clyde added Martha's suggestion to the motion, to require the Warren's to not allow a building on the property in the easement that they are contributing. Selectman Brown seconded the motion. Clyde summarized the motion to be the sense of the Board is that we are going to ask Nancy Martin to proceed, we approve this with the understanding that the town will put the entire piece of the town property into conservation with not allowing structures and Nancy will come back to the Board with information on who will hold the easement, monitor it and at that point move forward with the public hearing before the Board makes a decision. Phil Stockwell said when you talk about monitoring these parcels, the only monitoring we would be paying for is the parcel that would be held by 5 Rivers not the Warren piece. He said the Warren piece would be monitored by the town, by the Conservation Commission or volunteers just as Sue and my piece is out by the Tory Meadows, he asked if he is correct? Nancy said she didn't know the details but could certainly find out about the monitoring. Chairman Carson called for a vote on the motion, all were in favor, motion passed 3-0.

- M. Phil asked if other restrictions can be placed on this easement. Allan said he has asked that question and he has learned you can make it as restrictive as you want as long as it's written in the easement.

Note: Phil and a couple of other audience members stated that they love the roundabout.

2. Meeting Schedule

- A. Jim provided a copy of the agenda for the September 27 meeting for their review as well as the draft agenda for October 11. He also provided a schedule of suggested dates for when the Board will go over department budgets. John said he assumes the work sessions will only involve the Selectman and the department head. Clyde said these work sessions generally involves the department heads and how the budget recommendation came to be. The Board reviewed some dates, Jim will put together a meeting schedule.

3. Employee Compensation

- A. A work session will be scheduled for Thursday, November 3 at 9:30 am. to discuss employee compensation. Jim said he can have scenario's ready for the Board to consider such as a 1%, 2% or 3% increase across the board to give an idea to the Board of the cost. Jim said typically salaries take up 1/3rd of any operating budget. Clyde said typically the Board first looks at the total of the operating budget and then the Board discusses the impact of wage increases to the overall budget. Allan says he doesn't like to balance the budget on the people who do the work. Jim said what can be done is, if we get through the department budgets earlier on and leave the wages as they are this year, then and the Board will find out what their non-salary budgets are going to look like. Allan said doing that is late in the process. Jim said as long as he has the scenario's, he has to meet the November 14 deadline for the Budget Committee. Jim said he has instructed to the Department Heads to try to come in with a flat budget.
- B. Clyde said he sent out an email after their last compensation discussion. He said after that meeting the Board said there wasn't enough time to take on the entire step structure this year. Which, is in his mind, the Board will do the same salary procedure as last year. Clyde thought it would be fair to say there may be a few cases where the Board may want to make some special ad-hoc adjustments in lieu of going through the whole structure. He said we should ask our Department Heads to identify if there are any situations like that and to come forward with a recommendation as part of the salary review process. Allan is concerned this concept could open a can of worms, he feels instead the Board should look at the wage comparison to see if any employee is on the low end. Clyde said so rather putting it on the Department Heads do our own review? Allan said yes, he asked what Jim thought. Jim said both can be done, the wage comparison can be used to identify potential positions that may need to be reviewed and then go to the Department Head and ask them what they think. Jim recommends doing this in early November. John said at a quick glance there are very few that are at the low end. Jim said the reason he is suggesting to do this in early November is because there are differences in a job title and what the job entails from town to town. For example an executive secretary in one town will have one set of duties and in another town a different set of duties on top of that. John asked are we going to be looking at the comparison with other towns or where on the wage scale the person falls, he's not clear on that. Jim said he was under the understanding the issue is are we competitive with our wages and if we have a couple of positions that are below the other towns, significantly, or enough to say an adjustment is needed.

This may also include what the job descriptions entail. Clyde said he doesn't think the Board is in the position to do that, that threads into the wage study. Clyde said do we have anybody under paid for what they are doing compared... Jim said compared to what? The other towns? Clyde said yes, we could use the wage study. Jim said the quickest way to narrow down the group that the Board wants to look at, is to look at the wage scale, as John pointed out, it's not only the range, but where the incumbent sits on our own range.

- C. Clyde said his proposal was to exclude Department Heads and elected officials from this program, just the hourly employee. The Board will review the wage scale graphs and will continue discussion on October 13th.

4. Request for 50/50 Raffle

Board Action

Selectman Brown moved to approve MainStreet Warner Inc. to hold a 50/50 raffles for (1) one year. Selectman Dabuliewicz seconded the motion, motion passed 3-0.

5. Adjournment

A motion was made and seconded to adjourn at 5:15 pm.

Board of Selectmen

Clyde Carson

Allan N. Brown

John Dabuliewicz

Recorder of the minutes: Mary Whalen