



**Warner Board of Selectmen
Meeting Minutes
Tuesday, February 14, 2017
APPROVED**

Selectman Carson opened the meeting a little after 4:02 pm

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

Others present: Barbara Annis, Rebecca Courser, Kyle Whitehead, Marianne Howlett, Tim Allen, Martha Mical, Nate Burrington, Ed Mical, Rebecca Courser, Kyle Whitehead, Jim McLaughlin, Nancy Martin,

1. Public Works Department

- A. Director of Public Works, Tim Allen, met with the Board to discuss pick-up truck and loader-backhoe replacement. The pick-up needs \$9K worth of work by spring time, \$6,600 for a transmission (this will be the fourth) and \$2,400 for a turbo charger. Tim feels the pick-up should be replaced. The vehicle was scheduled for replacement in 2016, but it was pushed out a year. The cost for a new pick-up is \$40K for the vehicle and \$7K for the snow plow. There is \$192K in the equipment capital reserve.
- B. Tim would also like to purchase a loader-backhoe this year as well. The question for him, and he can't get comfortable in his mind about it, is do we keep the excavator and try to use it some more or get rid of it. The reason why Tim wants the loader-backhoe is because it's a better utility vehicle. The trade in value for the excavator is \$16K from Caterpillar, \$26K from John Deere, \$20 - \$25K from JCB.

Tim said he would like to try a (not audible) Case out, which is comparable to the other 3 that he tried, but they haven't had one come in yet, one was suppose to come in last month, Tim would still like to do that. Right now the Caterpillar 430 is what he would like to recommend, but, he's still up in the air because John Deere hasn't got back to him. There are things with the John Deere he doesn't like that they claim they can fix. Clyde asked how much is the Caterpillar. Tim said \$140K, the John Deere is \$131K, but they haven't given the price on some attachments yet.

Tim said his gut feeling is the town needs to hang on to the excavator and not trade it in, but, he does understand the money situation. Clyde asked if you don't have the excavator what would you do. Tim said he would rent one like they do when they do the major projects anyways. His reason to go with the loader-backhoe is, when Philip was here, and he ran the excavator, he could do a lot with it that in the current situation can't be done. With a loader-backhoe it gives you the option of having the bucket to do finish work, you can't do the same kind of work a loader-backhoe as you can with an excavator. But as far as Tim is concerned, 60% is winter maintenance, it would be nice to have a second vehicle to load sand into the trucks. Right now the crew has to wait for the loader to come back from where it is cleaning up snow to load the trucks with sand. The loader-backhoe would make the department more versatile. Tim's biggest question is do we keep the excavator or get rid of it, it has 8,000 hours on it now. Allan said the useful life of an excavator is 8,000 – 12,000 hours. Allan's concern about keeping the excavator is that if we put it on the market after losing the trade in opportunity, he doesn't believe you would ever get that kind of money for it. Tim said he was looking at it as for our use, the excavator is not costing anything right now.

Jim said to Tim it may be helpful if he figures what he has paid in excavator rentals over the last few year's. Tim said \$15K - \$20K each year. Tim said there's no reason why we can't use this excavator if it would hold together. The problem he has had with it is you take the excavator and 5 guys and start doing a ditching job then excavator acts up and then they have to stop and figure out the problem, it's frustrating because when the Highway Department did the job out behind the Town Hall it worked great. Tim said the two leaks that it has are in the center circle where the house turns on the bottom chassis and he doesn't know if those leaks have something to do with the issue. Clyde confirmed with Tim that he would still need to rent an excavator for certain jobs. Tim said there are certain things, like the drainage on Waterloo, we probably could rent a machine to do it. He said maybe Allan is right, get what we can out of it, buy a loader-backhoe that's more versatile and rent a machine when we need it.

John asked where does the loader-backhoe place on the replacement schedule. Tim said it's in for this year. John asked how will this effect the replacement schedule as far as the next piece of equipment. Tim doesn't feel it will effect it at all because there is enough in the capital reserve. Tim also said this purchase will also add life to the loader.

- C. Jim asked Tim what the trade-in value is for the F-350. Tim said between \$12K-\$13K. Jim asked if we could get more if we sold the vehicle. Tim said it's just something else to deal with. Allan said you don't want someone in town buying it and then knocking on your door every time something goes wrong.
- D. A public hearing will be scheduled for March 1.

2. Lien & Deed Research Contract

- A. Tax Collector, Marianne Howlett, presented to the Board the annual contract which is same as last year. Marianne has been using Sanders Searchers since 2011, this cost is included in the budget.
- B. The only difference in this contract is the of \$10.89 has increase to \$11.43, this is the first increase since 2011. Marianne said Jim came up to her office and asked if all liens are picked up and Marianne showed him an example of where Jane Sanders picked up a welfare and IRS lien.

Board Action

Selectman Dabuliewicz moved to accept the independent contractor Sander Searchers, LLC. as presented by the Tax Collector with a cap \$662.94. Selectman Brown seconded the motion, motion passed 3-0.

3. Projects – Old Business

- A. Odd Fellows Building – Allan contacted Bracket Scheffy about the deeds, Brackett told Allan he gave the deeds to the school to be recorded and hasn't heard back yet. Jim said he will call the school.
- B. Fire Department – A public informational session is scheduled for February 15. Marianne asked the Board if they have gotten something definitive about the strip of land on Split Rock. Allan said the Board is still waiting to hear from the landowner. The landowner is checking things over with his attorney.
- C. Solar Panel Array – Clyde said the public hearing was held on February 7. He has to gather more information for the grant application, and then it will go before the committee around March 22. Clyde has a good feeling the grant will be accepted because the grant applications received is just over the allotment, Clyde learned one grant application was pulled out. Another informational meeting is scheduled for March 8.
- D. Listing Agreement for old fire station site. – has expired, needs to be renewed.
- E. Easement at Children's Brook - Jim said Five Rivers Conservation Trust sent a letter to the Board stating that they have reviewed the potential easement with the Warren's on Children's Brook and are interested in being the overseer/monitoring of that easement. However, they do say the area is a small area of land and in order for them to participate in conserving the Warren property it is essential that the Town of Warner conserve the adjacent parcel as part of the project. Clyde asked what the next step is. Jim said first the Board needs to vote on a motion to take a conservation easement on Map 14 Lot 046-1 and write a letter of support to the Fiver Rivers Conservation Trust to have them become stewards of the easement that will include the Warren property and the town property.

Board Action

Selectman Brown moved to place a conservation easement on Map 14 Lot 046-1. Clyde asked if a public notice or hearing is needed to do this? Jim said no, none are needed. Selectman Dabuliewicz seconded the motion, motion passed 3-0.

4. Status of Town Report & Newsletter

- A. Newsletter is waiting for a couple of articles before it is sent to the printer.
- B. The Town Report is nearing completion. The Budget Committee vote on the warrant articles is needed, after which the report will be sent to the printer.

5. Minutes

Approval of the January 31 meeting minutes was tabled until the next Selectman's meeting.

6. Manifest

Selectman Dabuliewicz to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll check numbers 4594-4611 in the amount of \$35,691.75 (including 20 direct deposits) and Accounts Payable check numbers 53362-53407 in the amount of \$115,185.43. Selectman Brown seconded the motion, motion passed 3-0.

7. Public Hearing – Sale of Odd Fellows Building

- A. Clyde opened the Public Hearing at 5:03 pm according to RSA 41:14-a on the sale of town property, 10 Church St, Odd Fellows Building.
- B. Roll call: Selectman Allan N. Brown, Selectman John Dabuliewicz and Selectman Clyde Carson – Chairman.
- C. This is the first of two public hearings before the Board makes any decisions about 10 Church St.
- D. Allan explained to the audience the Board has a proposal from Nate Burrington to take possession of the building. The town is deliberating with the town attorney regarding a purchase & sales agreement and conditions. The Board's biggest concern is safety and esthetics. Allan worked with the School District to acquire more land for parking which he was successful at. Nate is figuring it will take him a few years to renovate the building. The contaminated soil in the basement has been mitigated, there are monitoring wells around the outside of the building which shows no contamination. There is asbestos that will need to be removed and lead. Allan said it's a question on whether we give him a chance to rebuild the building.

Public Comments

Martha Mical: Could you read us Nate's letter so the public knows.....

Allan: I think this is the newest proposal, we are talking to our attorney to see how we should list our priorities and how we make sure those priorities are taken care of. Here's the proposed strategy to restore the Odd Fellows Building. To restore the Odd Fellows Building you need to first keep the water out of it. The foundation is in bad shape towards the school, the water running off the driveway is running into the cellar. To repair holes on the outside where the water could be causing problems. Temporarily support the foundation, the building will be gutted to see the structural damage and find something good to jack up the building, the foundation will be rebuilt. Once the building is structurally safe Nate will clean the building up on the outside and make it look presentable and then move inside the building and redesign the walls for businesses. The time frame for gutting and repairing the internal structure and prep for the jacking and repairing the foundation is 6 months to 1 year and a half.

John: The time line is all part of the on-going negotiations, I'm not sure it's fair to Nate to give his time line, not sure how far you should go into that.

Allan: He does have a time line and a thought process. I know he has done this work before. I believe you had the contract to do the Bradford Town Hall?

Nate Burrington: Yes.

Allan: They were going to do the same thing, similar to this building up here, but they didn't appropriate the money.

Richard Senor: You don't have to get into the details, it would be nice to know what the time frame is.

Nate Burrington: I was trying for 6 years.

Richard Senor: Thank you.

Allan: To get the place secure and safe so nothing is falling off of it was going to be as soon as he could get working on it, foundation within 6 months to a year, to clean it up...

Richard Senor: I wanted to know the time frame for the whole project.

Allan: 5 to 6 years is what we're told.

Ed Mical: What's the Planning Board and Conservation Commission say about this, and the other thing is, this is going to a private entity, is he going before the Planning Board with this proposal for the building?

Allan: I'm assuming if he was going to put businesses or residential in there, whatever the rules and regulations are for something like that I'm sure he would abide by that. I don't know if he even knows exactly what he's going to do with it so it would be premature to say whether he's going before the Planning Board or not until he knows what he wants to do with it. We had to get input from the Planning Board, I haven't seen anything in writing from the Planning Board yet.

Clyde: Nope, not yet.

Allan: I know they talked about it, but haven't seen anything yet, and I just got this from the Conservation Commission and it was actually a conversation the Commission had.

John: Planning Board voted on a motion to approve the sale and that failed on a tie vote and no further action was taken by the Planning Board.

Allan: Nancy, the Conservation Commission met with this?

Nancy Martin: Yes, what you have before you is input from the members of the Conservation Commission, their comments for your edification. And the final comment that it appears you have done due diligence on this, and they have a couple of comments about taking the lead paint out. Dealing with the lead paint when the kids weren't in school, those kinds of comments. By and large, their pretty pleased with the research that has gone into it.

Allan: Does that answer your question? (no answer was picked up on the recorder)

David Karrick: I guess I'm a little confused, is this a purchase and sale that's going to be taking place over a period, let's say 6 years, or some fraction of that, and I'm wondering while this process is going on who is going to have the liability on the building?

Allan: Nathan said he could get insurance on it right?

Nate: Right.

Allan: I don't remember the term that our lawyer used, but, we do the purchase and sales agreement and he gets the deed to the place and then something in the contract, what's the word Jim?

Jim: Reversionary clause.

Allan: So that if he doesn't keep up with his schedule, then the town would be able to take it back.

Clyde: The key thing there is the town intends to transfer the title of the property early, not in 6 years.

David Karrick: So at that point then he would be responsible for taxes for instance?

Clyde: Correct.

Martha Mical: Whats been mentioned to the buyer as far as tax breaks or tax abatements and for how long.

Allan: We haven't gotten into that just yet.

Clyde: That's a fair statement, we've talked about it and we expect that there is going to be some in there, but we haven't gotten that far yet.

John: We expected to talk with our lawyer yesterday, we weren't able to do that so some of these things we need to talk over with him in order to transmit more details (not audible) Mr. Burrington. Very uncomfortable about the tenor of some of this since we're negotiating a contract, we haven't even really begun that negotiation other than for him to give us some input. Some of these questions being asked probably shouldn't be discussed until we do that. I realize that's uncomfortable, for me too, but that's just happens to be where we're at.

Martha Mical: You're the ones that set the public hearing, so if you weren't ready for it.....

Allan: We anticipated being ready until this snow storm came and our lawyer couldn't get into his office.

Martha Mical: Okay.

Rebecca Courser: What do you hope to have happen at the second public hearing. What will be accomplished between now and then that will give the public more information, and give Nate more information.

Clyde: Hopefully we will have our agreement hammered out.

Jim McLaughlin: What about the clock tower, has that been discussed.

Allan: If we move this into his ownership it will stay on the building, what he does with it I don't know.

Clyde: Nate do you want to jump in?

Nate: I want to restore it and bring it back and try to get a grant for it and keep it, I don't want to dispose of it. I'll try to get help from the Historical Society to keep it there. My goal is to keep it there. It can be a \$2million dollar job, but I really believe it could be a \$300 or \$400K job if it was fixed within the make and model of the year it was built.

Audience Member: How much land is included with the building.

Allan: The lot size right now is 0.1500, there's only like 19' of land on the corner of the building towards the school. The land we got from the school pushes that line back 55'. Then about 60' in the middle of the lot, because the lot is at an angle. 1,400 square feet was added to the property because we got some land from the school adding 8 to 10 parking spaces to the building.

Martha Mical: My understanding is the lawyer is looking at the agreement now and my concern is that he makes sure the town is not liable if the Board does sign this.

Allan: Nathan said he has an insurance company lined up to take the liability insurance on it.

Martha: Right, liable for the remaining hazardous materials.

John: We're well aware of that.
Clyde: That's our concern as well.

David Hartman: Does the sale of the building include the sale of that land?

Allan: The lot we just added on to....

David Hartman: Is there a defined boundary to the land that goes along with the building.

Allan: Yes, it's all been merged into one. The original lot that the building sits on and the extra 50 or so feet (1,400 square feet) is all on that lot now.

David Hartman: Does that lot include the driveway going down to Church St.?

Allan: No, that is the lot the town is keeping, the Odd Fellows Building will have a right-of-way written into the deed so that will become a driveway to get into the building.

David Hartman: Just a follow-up question, it concerns the lot rather than the building, and in the transfer, the town owns the land that goes across the road the school has accessed its parking lot, the town owns that land?

Allan: Yes.

David Hartman: That will be transferred to the new owner, so he would understand there will still be an easement to get across his property to get to the school parking lot.

Allan: Right, that right-of-way is written into the deed and is transferable, it will stay with the property forever.

Martha Mical: The weather vane that is on top of the cupola, did the Selectmen think about the fact that, I always said it needs to stay belonging to the town, the weather vane should not transfer with the property. I don't care if it stays up there, but it's not to be sold.

Allan: Let's just say, you were to do something like that, then all of a sudden a hurricane comes up and it blows off and kills somebody, who's is liable then. Nate's not going to insure that if it belongs to the town.

Martha Mical: Then I think the town should, because that's a valuable piece.

Allan: It's valuable if you want to go up there and get it down, I'm not going up there to get it down.

Martha Mical: No but

Allan: To me the clock and the weather vane that's part of the building. If I was going to sell you my house I wouldn't take the windows out of it.

Martha Mical: I guess, you need to realize how valuable it really is.

Allan: It all depends on how much you want to spend getting down.

Clyde: Point noted.

Richard Senor: I think it would be a terrible thing if the town took it down since the gentleman wants to restore the building and that was with the building. And I know a lot of people want to take the clock tower back, he's restoring the building, you can't beat that.

Allan: Anything you want to do to that building is an expense, if you want to take the clock tower down, you have to bring in a crane and then you have to bring in a crew that can get up there and work, disconnect it from the building and brace it so it doesn't crush when you pick it up with a 100' crane. What are you going to do with it once it's down, it's has to be rehabbed, where do you put it. It's not cheap, a crane for the day is about \$8K. Then you have to find someone who is foolish enough to go up there and do it.

Jim McLaughlin: I think the only issue about taking the clock tower down had to do with demolishing, that's the only time it was talked about saving the clock tower.

Nancy Ladd: I want to express my support for the building being restored and not torn down. It's an amazing building.

Allan: I don't want to see that building come down, I've said it a million times, I'll say it a million more times. I've only lived in this town for 66 years, but I have seen more buildings come down, and sooner or later your not going to recognize the town.

Jim Bingham: I think, it's also important to at least discuss the alternative to saving this building. The alternative off course is demolition. Now, the testing that has been done on the building has found that all the building material within the structure is lead contaminated above the tolerable bench marks for the Department of Environmental Services and EPA. Which means it is the demolition material would not be clean material as it stands now which would significantly increase the cost of taking the building down and removing all of that. Even if the building was clean the cost to take the building down is about \$100K. Then there is site work that will need to be done. I have been talking to Nate about a new product called Ecobound which is basically a paint product that abates the lead by sealing it with a new coat of this type of paint which could bring the cost of both the rehab down or if we were in the position and had to take it down would diminish it, but still, the cost of taking this down, we should realistically be looking at the cost of a dump truck or 2 to 3 police cruisers. If we have a realistic opportunity to allow a contractor who has this experience, has the certification in lead abatement and is basically on the verge of getting certification for asbestos abatement, to take this project on and we can come up with an agreement that the Board and

Contractor is comfortable with, from a financial point of view I would have the people of town take a look at this favorably because it's going to be a big cost savings if that happens.

Marianne Howlett: You talk about Nate's experience and you talked about the Town Hall in Bradford that didn't happen. But maybe you could tell us about some projects you have done Nate. I know you did the coffee shop and you have an older home that your re-doing, but are there any other projects that your doing?

Nate: I've ripped down the apple barn in Bradford, I did the 120' commercial in Bradford that ran out of money, we had to restructure that building also. I've done multiple kitchens, I've built whole houses and I've done lead abating in Hanover NH where I've taken some siding, douglas clapboard off, and scraping loose chips off, containing that and using the proper procedures to contain it and then you can seal it over. If you have lead on the boards and you decide to dispose of them you can wrap them in plastic and haul them to the dumpster. I'm certified in lead removal, I have built 4 or 5 houses. If I break up the Odd Fellows, it's about 3 houses in there and I've done that. I would say I'm definitely certified to take on this size project.

David Hartman: Just a question about the related issue, there is a warrant article I believe?

Clyde: We have a petition warrant article, yes.

David Hartman: To direct the Selectmen to develop plans and implement the plan to tear the Odd Fellows Building down. How does that interplay with the proposal to sell the building, developing a purchase and sales agreement, timing wise, it seems like it's a very critical thing.

Clyde: I would think if we have a purchase and sales agreement in time for Town Meeting, that warrant can still be voted on because something could potentially fall through during the course of the year or something like that. Rebecca what's your intention with that.

Rebecca Courser: I think I am (not audible) comment at both of these public meetings, I think the article can be amended on the floor depending on discussions.

David Hartman: It would seem like if you executed a purchase and sales agreement prior to Town Meeting, it almost makes the deal to direct you to tear down the building...

Clyde: We couldn't tear down a building we didn't own.

Rebecca Courser: If part of the sales agreement is that if Nate decides he can't finish it, the time lines not being met, if something comes up, I heard you say the building might come back to the town and so there could be an amendment saying if this building comes back to the town, the town is directed to come up with a fall back plan to demolish it.

Marianne Howlett: Because I was at the Planning Board meeting when this was talked about and I believe Ben Frost made the statement that he didn't see a problem with both of these things happening concurrently, which is what Rebecca is speaking about. I don't mean to speak for him, but I believe he stated that in the meeting.

Martha Bodnarik: Again on timing, in the past we dealt with people wanting to do something with this building who kept us (background coughing) waiting to see if they get funding. In this case are you planning on getting this purchase and sales agreement done soon, or are you planning on keeping the one guy who really wants to do something with it hanging on the ropes.

Allan: It's our intention to move on this. Like I said, we had planned to speak to our lawyer yesterday to get this thing rolling so we can get the purchase and sales agreement written or to iron out what we need to get written.

Martha Bodnarik: How long have you been working on this.

Allan: For a while.

Martha Bodnarik: That's what I'm saying, we have to kind of move one way or another. We don't want you to wait, dragging it out forever.

Clyde: We're getting close.

Rebecca: I think that's been part of the anxiety of people watching this process over the years. Bob Irving pulled out end of September and then it seems all of a sudden it was the Selectmen dealing with a person who is interested in purchasing the building. I realize when dealing with that you have to go into closed session. But what it did is cause concern whether or not this this is going to get done before Town Meeting. Maybe this warrant article has precipitated that process in order for a decision to be made. The Odd Fellows Building was purchased by a vote at Town Meeting and then all the Odd Fellows meeting had been public with anybody we had in dealing through the years and all of a sudden there was nothing.

Clyde: I understand.

Rebecca: I even think the Odd Fellows Committee never met between Bob Irving and when the Selectmen started this process. So it caused a lot of concern.

Clyde: I think the Selectmen have been working very hard to try to bring stuff into Town Meeting. The petition article is coincidental to it, but our goal is to bring something to Town Meeting.

Jim Bingham: For some perspective, Nate approached the Selectmen as early as January of last year with a strong interest. Nate was aware of, as well as some of you were aware, the Board has been working over the last two or three years on a couple fronts. One front Allan was focusing on adding land to the lot and on the other side we were working hard getting the necessary environmental assessments done so we knew exactly what we were dealing with in that building. Those have been going on for the last several years. Nate approached the Selectman's office about his interest and he was told that the Selectmen were still bound by an option with another contractor and that option would be up in September. As soon as Bob Irving didn't see the feasibility, then Nate stepped back in and renewed his interest. This has been an on-going process, why it's not public at this point is because it is a purchase and sales agreement and we need to get some information legally from our attorney, we are also waiting to hear from DES regarding their input with respect to what condition they would like to see in this purchase and sales agreement. It's a little more complicated and therefore we didn't want to put it out all over the place until we were fairly certain we knew what we were dealing with. We are getting very close to that now and as soon as we have that I'm sure the Board will be able to present that publicly.

Barbara Annis: My concern is that everything we have ever gotten quotes on, it's a million dollar project, I'm concerned about the price tag. I don't know what his plans are, he doesn't know what his plans are, he might have a problem after going through all of that coming before the Planning Board or he may have to go to the Zoning Board. I hope that he has thought about this.

Allan: He has actually discussed that with us, but, the thing is, there's a building there, he has the talent, he's young, he doesn't have to hire somebody, it doesn't necessarily need to be a million dollar project. As far as the Planning Board and Zoning Board, the building is there and if somebody wants to live in it, do we have so many rules saying nobody can use that building? I mean that's kind of ridiculous to think, something could happen in that building.

Richard Senor: This gentleman is willing to put up money for the building, we can't look at his finances or his economic standing and if he's willing to do it, absolutely all right.

Allan: I say we take him at his word he can do it, let him do it.

Richard Senor: Absolutely.

Kyle Whitehead: We need to stand back and just show some patience because we are creating a scenario with this petition that too many people are going to get (not audible) about tearing it down. Maybe next year, you got to give Nate the 6 years to go at this thing. I think your going to be surprised. If he gets the building to the point he can jack it up and he gets the foundation stabilized and rebuild the first floor your going to be surprise how easy it is for him to get grant money. I have a couple of concerns, the clock tower is the jewel of that building, there might be a way to fund the restoration of the clock. Another is the slate on the roof, I would like to see it restored.

Martha Bodnarik: I full confidence in Nathaniel Burrington, he has done work for me and has been the most professional, well done job that I ever had done in my 30 some odd years in this town. I would much prefer to see somebody, at no cost to me, hopefully restore that building to what I use to be, as opposed to having to pony up \$200,000 to \$300,000 to have another piece of pavement in town.

Kimberley: I'm not a lawyer, and I never heard a real estate deal where the seller has control over the buyer and I was just wondering if you can explain why you weren't looking to do a flat out sale and not put some sort of contingencies on the buyer.

Allan: It was basically to make sure it didn't sit there for another 15 years before anyone did anything with it.

Kimberley: And who's going to enforce that contract.

Allan: It would be a purchase and sales agreement, like I said, we haven't talked to our lawyer yet, we've thrown some ideas out to him and he's thrown some back at us. The lawyer has come up with a term, that allows some control and to the agreement will be kept.

Jim Bingham: There's a lot of trust involved in this particular conveyance of property. And what we are trying to do is come up with a feasible and reasonable agreement that will allow Nate to work on the property but at the same time Nate establishing a commitment to the town that it will not sit undeveloped for an extensive period of time. In terms of looking at how we work that agreement so that it is comfortable, we're in the middle of doing that now. We're hoping we will have some clarity once we talk to our attorney. Nate will also look at the proposal we are coming forward with, with respect to the purchase and sales agreement and a time line with some expected bench marks to be met. But, it is a trust issue, from what I'm hearing there are people here that have confidence in Nate to go with it. And we're going to have to continue to rely on that as well.

Kyle Whitehead: For whatever reason Nate got it to this point where it is a safe building, he's got the capability to sell it to anyone he wants to. I'm not suggesting he's going to do that, I'm just saying. If a person bought the building would be tied into the same agreement?

Jim Bingham: Not necessarily, that's something we can bring up with the attorney.

Kyle Whitehead: If he did get it to a point where it's safe and stable and he sells it to somebody who will take away all the charm of the building.

Allan: He could turn around and sell it to somebody that decides they want to demolish it, it's one of those open ended things.

Kimberley Edlemann: Open ended, so, you have to release the buyer at some point.

Clyde: We would.

Kimberley: This town should not be babysitting the new owner of the building for eternity.

Clyde: The goal is to make sure from the towns perspective that we are protected, the building is safe, and not an eyesore in the middle of town, those are the type of things we would like to see done early.

Nancy Martin: Clyde when do you imagine the next public hearing will be.

Jim Bingham: March 1, which is set by statute.

Nancy: So in 2 weeks you expect to have all this information.

Jim: Our desire and commitment is to get as much down on paper and in agreement with Nate as possible.

Chairman Carson closed the public hearing (no time stated).

8. Consent Agenda

Selectman Brown moved to approve the Consent Agenda for February 14, 2017:

1. Solar Exemptions for:

- o Map 8 Lot 22
- o Map 8 Lot 7-2
- o Map 6 Lot 43
- o Map 14 Lot 51
- o Map 34 Lot 10-1

2. Intent to Cut for:

- o Map 10 Lot 099-1
- o Map 21 Lot 5

3. Veteran Tax Credit for Map 14 Lot 29-1-11

4. Pole License

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

9. Other Business

A. The Board talked about what is left in the budget process. The Budget Committee still needs to vote on the warrant articles. Allan asked the Board if they are going to address the Budget Committee's recommendation of reducing social security and medicare line items by \$9K. Jim said he and the Bookkeeper discussed this cut and looked at the numbers again to make sure there is enough budgeted for regular and overtime wages. The Bookkeeper said it's going to be tight, if there's nothing unforeseen we should be okay. Jim said he has made the \$9K reduction in the operating budget which now shows 1.47% from 1.77%. With that said, because the town has to pay the Library staff, we may see those two line items go over budget in the actual figures.

B. The Board received a Discretionary Barn Preservation Easement application. The Board will be scheduling a site visit.

C. Jim reported that he received a letter from the Department of Transportation who will be paying the town \$255,296.59 which is one half of the two thirds that DOT covers for the roundabout. DOT will not close the project out until the identified items are fixed in the spring.

10. Nonpublic Session

Chairman Carson moved to go into nonpublic session at 6:10 pm under RSA 91-A:3 II (d) acquisition/sale of personal or real property. Selectman Brown seconded the motion. Roll call vote was taken: Selectman Carson – yes, Selectman Brown – yes, Selectman Dabuliewicz – yes.

Present: Selectman Clyde Carson – Chairman, Selectman Allan N. Brown, Selectman John Dabuliewicz and Town Administrator Jim Bingham

Chairman Carson moved to come out of nonpublic session at (no time stated). Selectman Brown seconded the motion. Roll call vote was taken: Selectman Dabuliewicz – yes, Selectman Brown – yes, Selectman Carson – yes.

11. Seal and Restrict

Selectman Brown moved to seal the February 14 nonpublic minutes for 6 months under RSA 91-A:3 II (d) acquisition/sale of personal or real property. Selectman Dabuliewicz seconded the motion. All were in favor the motion passed 3-0.

12. Nonpublic Session

Chairman Carson moved to go into nonpublic session at (no time stated) under RSA 91-A:3 II (a) reputation. Selectman Brown seconded the motion. Roll call vote was taken: Selectman Carson – yes, Selectman Brown – yes, Selectman Dabuliewicz – yes.

Recorder was shut off at this point.

13. Seal and Restrict

Selectman Brown moved to seal the February 14 nonpublic minutes indefinitely under RSA 91-A:3 II (a) reputation. Selectman Dabuliewicz seconded the motion. All were in favor the motion passed 3-0.

14. Adjournment

A motion was made and seconded to adjourn at 6:50 pm.

Board of Selectmen
Clyde Carson
Allan N. Brown
John Dabuliewicz

Recorder of the minutes: Mary Whalen