



Warner Board of Selectmen

**Meeting Minutes
Tuesday, June 5, 2018
APPROVED**

Chairman Edelmann opened the meeting at 6:05 pm

Attendance: Selectman Kimberley Edelmann – Chairman, Selectman Clyde Carson, Selectman John Dabuliewicz and Town Administrator - Jim Bingham

Others present: John Leavitt, Ed Mical, Martha Mical, Kevin Boucher, Steven and Gail Holmes, Judy Newman-Rogers, Tim Blagden

1. Kelly Hill Road

- A. Kevin Boucher owns property on Kelly Hill Rd. which is a Class VI road. Kevin would like to build a home in the future and is fully aware that he would need to upgrade the road. The Selectboard told Kevin to begin talks with the DPW. Kevin said he has been in contact with the DPW who is gathering information as far as what can be done to the road. Martha Mical said it's not written anywhere but strongly encouraged the Selectboard to require what the DPW expects to be done to the road and what Mr. Boucher intends to do in writing. Kimberley wants the RSA's reviewed as well. The next step is for Kevin and the DPW to meet with the Selectboard with a clear plan in writing.
- B. Kevin said all he has done to the road is trying to get the water off the road, he said he plans to purchase a bulldozer. Kevin was asked if he has experience with road building and he said no. Clyde raised a concern regarding the stone walls and making modifications to a Class VI road without getting permission from the Selectboard or review from the Historical Society and without having experience in road construction.
- C. Martha asked if the shed has been removed. Kevin said no, he was waiting to meet with the Selectboard. Kevin said he read the information on the town's website that said no permit is needed for a shed 200 square feet in size. Kimberley said that information is for Class V roads. Clarification will be needed on the town's website regarding Class VI roads. Martha was asked if the shed is on the assessing card and she no, the Board said not to add it. She said from the Assessors viewpoint the shed should be on the assessing card because it was there April 1. Kimberley asked the Board if Kevin needs to remove the shed while the Board waits to hear back from Kevin and the DPW. Martha recommended to the Board to allow the shed up until and before the first snowfall. Kimberley is not in favor of setting a precedent and feels the assessing card should be updated to reflect the shed. John and Clyde disagree because putting the shed on the assessing card indicates the Board is allowing it. John suggested waiting until they meet with the DPW and Kevin. Jim suggested since Kevin would like to become a Warner resident and if given a time period, put the shed issue on hold and let Kevin come back with a plan. Board agreed to put the topic on hold and will meet again in two weeks.
- D. The Board talked about the grandfathered homes on Class VI roads. John said there is statutory authority to allow the governing body to approve building on a Class VI road as long as there is a liability waiver, RSA 674-41c.

2. Barn Preservation Easement

Steve and Gail Holmes submitted a Barn Preservation Easement application back in February 2017 which was approved. The Holmes recently learned from Martha that a deed is needed so the Holmes created a deed for the Selectman to sign. The easement will be in effect for 2019 instead of 2018. The actual deed is part of the approval process for the easement which the Holmes were not aware of.

Board Action

Selectman Carson made a motion to accept the Discretionary Preservation Easement deed presented by Steven and Gail Holmes on their barn effective June 5, 2018. Chairman Edelmann seconded the motion, the motion passed unanimously.

3. Listing of Map 29 Lot 1

- A. The Real Estate Agent has asked the town to consider lowering the asking price because most of the property is in the floodplain. Ed Mical said about 5 years ago FEMA GIS'd the existing floodplain maps and in doing so they found areas that were not indicated on the old maps as floodplains that are actually in the floodplain. The second reason for lowering the asking price is the market reflects the need to reduce the price. The Realtor is recommending the high twenty-thousand dollar range. Technically there is not a signed agreement with the Realtor at this time, the previous agreement expired. John asked if there has been any interest in the property. Jim said the Realtor told him recently there were 3 inquiries, the most in a year and a half and the Realtor realized there was not a current contract listing agreement which is before the Selectmen for one year. Clyde had another recommendation, to make the property available at a lower price to see what organizations come forward to purchase the land for public recreational use. Martha Mical feels asking for \$20,000 is too low and feels \$40,000 is a better asking price. John Leavitt said the town voted to sell the property, the land should be on the market and should have never come off the market. John was told the property is still on the market. Kimberley also added that nobody is stopping organizations from making an offer on the property, the town has not received a single offer. Clyde feels being in the \$20,000 price range would bring in some offers.
- B. Clyde wants to see if other organizations will step up to the new selling price first before listing the property again with a Realtor. Kimberley said again, if the property is listed, organizations can still make offers, she said nobody is stopping organizations from making an offer and no one has come forward to the Selectboard and made an offer. John said a verbal offer was made by Tim Blagden for \$10,000. Clyde feels if the property is listed at a lower price range he thinks it would bring some offers out.
- C. At this time the Selectboard would like to see the commission rate at a lower percentage and the asking price over the recommended high twenty thousand dollars.
- D. Clyde asked if the Selectboard is willing to talk about putting an easement across the property so the rail trail has a way to continue from the property next to it and heading towards Exit 9. Kimberley said a buyer would need to be involved with that decision. Clyde wants to see the easement as part of the land. Kimberley feels the town should first vote on whether the town wants to fully support a rail trail, then based on that knowledge the Selectboard can make decisions. Tim Blagden said he did submit language to the Planning Board on May 27, 2017, to have the rail trail added to the Master Plan. With the activity in the Landuse Office, no action has been taken yet. Tim also supports a town vote. John Leavitt reminded the Selectboard that a rail trail was sold to the Selectboard as being no cost to the town, putting an easement on this property is a cost to the town and he too supports a town vote on the project. Clyde now feels the town should not sell the property until the town votes on the rail trail. The Selectboard will discuss this again in two weeks and will not make a decision tonight.

4. Polling Hours

- A. The Town Clerk said the voters voted to change the polling hours, the next step is to notify the Secretary of State which will be placed on the November ballot for the voters to vote. John said he doesn't understand why the polling hours would be changed for this year before learning the voter input. Clyde said we changed it once and the voters liked it. John said no one told him they liked it and the Selectboard talked tonight about having the town weigh in on the decision and the Selectboard is going to do it anyway ahead of time, John does not agree.

Board Action

Selectman Carson made a motion to extend the polling hours starting at 7:00 am, it has no negative impact on anybody other than the fact the poll workers need to start an hour earlier. Chairman Edelmann seconded the motion, the motion passed 2-1.

- B. The Selectboard signed the letter created by the Town Clerk to the Secretary of State.

5. American Tower

Jim reported American Tower currently owns the cell tower in the town forest on North Road, the town has a 5-year lease that is automatically renewed 4 more times. American Tower is proposing to extend the current lease for another 30 years at the same rate of monthly payment increase at 5-year increments. The question is, does the extension go to a town vote. A 30-year extension amounts to \$2,100,000.00 for the town. The Selectboard wants clarification on the warrant article that was passed regarding the original lease, John would like to review everything before reaching out to the attorney. Martha feels the discussion should include the Chandler Reservation Committee.

6. Coffin Cellars Winery

Coffin Cellars Winery would like to be a vendor at the Farmer's Market and is asking for the Selectboard's support. There was concern about wine tasting and it was asked that a copy of the support letter be sent to the Police Chief. The Board signed the letter of support

7. Job & Wage Analysis

The Selectboard will meet on June 12 at 4:00 pm.

8. Fire Station

Footings for the bay area are in, the administration bay area is being prepared. Decisions have been made about bringing in water from Split Rock Rd. There is a driveway permit in place for Route 103. The walls are beginning to come up. Kimberley and SMP will meet on-site regarding materials testing. Jim reported the insurance carrier wants to be contacted when the walls are up for an inspection.

9. Selling Town Parcels

Jim provided a sample letter that will be sent to former owners along with a copy of RSA 80:89. Martha suggested indicating the amount owed up to the end of 90 days from the receipt of the letter. Jim would like the Board to review the letter and the RSA's and provide him their feedback. John will take the lead.

10. Municipal Retention Committee

Kimberley asked the Town Clerk when will the Committee meet. Judy said a meeting will be soon after the tax office slows down in the next couple of weeks.

11. Nonpublic Sealed Minutes

Clyde suggested the Board meet in nonpublic to discuss the sealed minutes.

12. Meeting Minutes

Selectman Carson made a motion to approve meeting minutes dated May 7 nonpublic, May 8, May 15 public & nonpublic, May 16 nonpublic & work session, May 21, May 22 public & nonpublic. Selectman Dabuliewicz seconded the motion, the motion passed unanimously.

13. Town Administrator's Report

Parks & Recreation: Richard Welcome, who presently works part-time at the transfer station, has been hired for the part-time grounds maintenance position for Parks & Recreation and started last week.

Selectmen's Office: The new Assessing Clerk started last Thursday and is training with Martha Mical. The Spring Newsletter is ready to be mailed and reach the residents by June 15. The auditors arrived today to work on the 2017 financial audit. They should complete their field work by Thursday.

Public Works Dept:

Town Hall Front Lawn – Tim is still waiting to hear back from Steve Bridgewater and for pricing on brickwork. He hopes to have the fountain operational sometime next week. Tim plans to have pricing and a sketch together for next board meeting.

Water line extension to Town Hall – Test borings have been done along Church St. and the driveway behind Town Hall. Eight borings were done, 5 of the holes met the target depth. The test boring hole at the intersection of Kearsarge Mt. Road and Church Street cleared to a level of 5.5 ft. The other two borings in the wide area on Church St. in front of the school were 4 and 4.5' deep. Tim's opinion is that he can make this route work. Horizon Engineering has boring results and they are 3 weeks out on delivering plans. As soon as Tim hears from them he will finish pricing the project.

Waterloo Drainage Project – All the drainage structures, piping and other materials are on hand. DPW has two pine trees to remove at the intersection of Waterloo and Newmarket so they can set the new basins. Tim is waiting for J.W. Land clearing to schedule a date for the removal of the trees.

1. Street sweeping is continuing this week Melvin Mills, Newmarket, Collins, Bean Rd. area.
2. Winter Sand is stockpiled at Hills pit and needs to be hauled to stockpile at Highway Facility
3. Road Grading and watering of gravel roads started last week.

Police Department: Chief Chandler is informing the Selectmen that Officer Justin Crotty has submitted a letter of resignation. His last day will be June 18. Chief Chandler received 2 applications for the part-time patrol officer position. He plans to make a recommendation for hire at the next Board meeting. We discussed the impending open full-time position and Chief Chandler will advertise the position in all available venues shortly. The electrician from Harry O Electrical Contractors will be at the Police Station next week to transfer additional circuits to the emergency generator panel box. Dennis Inman has been contracted to replace the gaskets and conduct other maintenance on the PD emergency generator next week as well. The peak use was reviewed by Harry O and determined the current generator is sufficient. Chief Chandler will be scheduling a meeting of the Highway Safety Committee. He informed me that there are no posted speed limit signs in the area of Pleasant Pond Rd or Clement Hill Rd.

Martha Mical recommended a thank you letter be sent to Pellettieri Associates for the donations of flowers at the Town Hall. The Selectmen agreed and are very thankful to Pellettieri Associates for planting the flowers and agreed a letter should be sent. Kimberley said a letter thanking years of services should be created for Justin Crotty as well.

14. Public Comments

Tim Blagden said New Hampshire Gives runs on June 6 & 7.

15. Manifest

Selectman Dabuliewicz made a motion to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll check numbers 5347-5365 in the amount of \$34,797.44 (including 20 direct deposits) and Accounts Payable check numbers 55085-55137 in the amount of \$110,826.17. Selectman Carson seconded the motion, the motion passed unanimously.

16. Consent Agenda

Selectman Carson made a motion to approve the Consent Agenda for June 5, 2018:

Previously signed by the Board are the following:

1.) Building Permit for:

- 1) Map 18 Lot 11-5
- 2) Map 14 Lot 7 McDonald's Renovation
- 3) Map 7 Lot 70-3
- 4) Map 8 Lot 6
- 5) Map 3 Lot 24-9 CC

2.) Intent to cut for:

- 1) Map 14 Lot 43
- 2) Map 4 Lot 21
- 3) Map 9 Lot 44

3.) Heavy Hauling Permit

4.) 2 Payroll Change Forms

To be signed by the Selectmen:

- 1.) Yield Tax Levy in the amount of \$3,058.89
- 2.) Intent to Cut for Map 15 Lot 55
- 3.) Sign Permit for McDonald's

Selectman Dabuliewicz seconded the motion, the motion passed unanimously.

17. Selectman's Other Business

A. Clyde reported he has been working with Evans gas station regarding a chamber commerce sign that would be situated on the east side of Evans property and will be meeting with a representative on Friday morning.

18. Nonpublic Session

Selectman Dabuliewicz made a motion to enter into nonpublic session at 8:18 pm in accordance with RSA 91-A:3, II (a), personnel. Selectman Carson seconded. Roll call vote: Dabuliewicz – yes, Carson – yes, Edelmann – yes. The motion passed 3-0.

Present were the three Selectmen and Jim

Selectman Dabuliewicz made a motion to accept the new retirement date of July 14 for Martha Mical. Chairman Edelmann seconded the motion, the motion passed unanimously.

Selectman Dabuliewicz moved to come out of nonpublic session at 8:25 pm. Clyde seconded. Roll call vote: Dabuliewicz – yes, Carson – yes, Edelmann – yes. The motion passed 3-0.

19. Adjournment

Meeting adjourned at 8:26 pm

Board of Selectmen
Kimberley Edelmann – Chairman
Clyde Carson
John Dabuliewicz

Recorder of the minutes: Mary Whalen