

DRAFT Select Board Meeting Minutes- February 20, 2024

Open the Meeting and Roll Call

- Chair Seidel opened the meeting at 5:04 PM.
 - *Present:* Harry Seidel (chair), Faith Minton
 - *Also Present:* Kathy Frenette, Georgia Flanders, Judy Newman-Rogers

Public Hearing: Citizen Petition to adopt the provisions of RSA 32:5-b, and implement a tax cap whereby the governing body shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year's actual amount of local taxes raised, by more than 4%?

- **Open the Public Hearing:** Chair Seidel opened the public hearing at 5:06 PM.
- **Presenter/Petitioner:** Not present
- **Open Public Comment:** Chair Seidel opened public comment at 5:06 PM.
 - 2023 Audit quote
 - When was the last time the town underwent an audit?
 - Is it appropriate to raise taxes if an audit has not occurred?
 - Audits occur annually but have not been updated on website
 - 2023 Audit received 7 months late
 - Budget Committee and Select Board have both requested audit, but have not seen it
 - Local Tax clarification
 - Clarification requested on how "local taxes" are defined in the RSA
 - Local taxes: town taxes, does not include school, county, etc.
 - Effect on this year's taxes
 - Would not effect this year's taxes due to voting date
 - Override
 - Can be overridden in a given year if needed
 - Would have to be overridden at town meeting
 - Concerns about funding
 - What happens in the event of a disaster?
 - Potential handicap for future budgeting
 - In the past, projects and other purchases have been canceled in the event of an emergency
 - RSA Clarification
 - Does this take into consideration the capital reserve funds?
 - Capital reserve funds would be part of municipal budget, and thus be included
 - Contingency fund clarification
 - Used in event of unexpected need
 - Contingency fund vs. general fund
 - General fund: raised by local taxes
 - Exists to run town during fiscal year
 - Contingency fund: separate fund for emergencies
 - Not a "rainy day" fund
 - Wording- "Governing Body"
 - Concern regarding what the words "governing body" entails
 - RSA Clarification
 - Tax Cap an be a fixed amount or fixed percentage per the RSA
 - RSA uses wording "governing body *or* budget committee"

- DRA Clarification
 - If DRA denied application for further funds (i.e in the event of a winter storm), how would a tax cap affect ability to gain funding?
- **Close Public Comment:** Chair Seidel closed public comment at 5:28 PM.
- **Board Discussion**
 - No discussion by the board at this time.
- **Close the Public Hearing:** Chair Seidel closed the public hearing at 5:28 PM.

Public Hearing: Application received under RSA 79-E, Community Revitalization Tax Relief Incentive, from owner Nathaniel Burrington, tax map 31 lot 052, “Odd Fellows Building”

- **Open the Public Hearing:** Chair Seidel opened the public hearing at 5:30 PM.
- **Presenter/Petitioner:** Nate Burrington
 - Building purchased in 2017
 - Work is ongoing despite setbacks
 - Building adds character and needs to be saved
 - Currently paying taxes on building
 - Building is in significant disrepair and needs further work
 - Property is currently valued at \$80,000
- **Open Public Comment:** Chair Seidel opened public comment at 5:32 PM.
 - Future Plans?
 - 2024 and 2025: support center structure, replace center floor, remove beams sticking out, seal up openings, restructure first floor
 - Infrastructure inside building has been removed and replaced with steel beams
 - Reinforcement to foundation also needed
 - Current Progress
 - Clocktower removed
 - New retaining wall built
 - Roof replaced
 - New foundation around perimeter
 - Community Revitalization Tax Clarification
 - Tax rate remains the same on revitalized building for up to 5 years
 - Can be extended an additional 2-4 years if the Board deems it necessary
 - Unclear whether it can be extended further
 - Timeline for Completion?
 - Completion date in original application is 2030
 - To include HVAC, hot and cold water, sprinklers, drywall, etc.
 - Clocktower will be returned to roof
 - Highly ambitious project due to long period of disuse for building
 - Other Concerns
 - Public views the building as an eyesore
 - Concerns regarding safety of interior and access to building
 - Cost to Taxpayer
 - Property was not paying any tax prior to Burrington’s investment in the building
 - Tax relief is not 100%
 - Taxes would not increase on building from current evaluation- this would not eliminate taxes

- **Close Public Comment:** Chair Seidel closed public comment at 5:44 PM.
- **Board Discussion**
 - Board has 45 days to make a decision after public hearing
 - The board commends Nate Burrington for the work he's completed so far
- **Close the Public Hearing:** Chair Seidel closed the public hearing at 5:45 PM.

Continued Business

Warner Community Center- Repairs Progress

- New handrail installed at recommended height in front of building
- Replacement of doors still pending
- Maintenance personnel have been present in the building to work on these projects

Meeting to Review New Draft Flood Plain Maps

- Scheduled for February 23 at 10:00 AM, Warner Fire Station
- Open to interested members of the public in person, no Zoom provided
- Preliminary flood plain maps are available online in PDF form
- 90-day review will likely begin soon
 - The town will be notified when this begins
- Opportunity to inform FEMA of any errors in location of floodplain
- Maps are created through a mix of field work, satellite imaging, and community-provided information

IT- Software, User Training, Website

- Migration to .gov domain progressing
 - Goal is to have this up and running by the end of March
 - Current url is warner.nh.us
 - New url will be warnernh.gov
 - Email has already been transitioned to .gov domain
- User issues with website
 - Residents and town employees have expressed issues with the website
 - Ownership of contents of website is an issue if shifted to another website service
- Laptop Replacements
 - Windows 10 is no longer supported with security updates after October
 - 14 town computers cannot be upgraded to Windows 11
 - 7 laptops budgeted for replacement in 2024
 - Replacement cannot occur until budget is voted on
 - New Avitar software
 - Can be used with current older laptops if cloud based, but will require an upgrade if hosted on laptop
 - Desktops vs. laptops
 - Some computers can be shuffled around, but portability needs to be accounted for

Town Hall Roof Status

- Grant funds have been released by the state, but funds have yet to arrive
- Winter is not the optimal time for roof repair
 - No active leaks currently

- Moose grants are useful for covering repairs and construction that cost \$20,000 or less

New Offices- Town Hall

- Drawings have been revised
 - Must be reviewed by an architect for code compliance
- New wall would leave 4 ft of open space for access to tax collector
- Initial desire was to create 2 offices and a meeting room, but this was not workable
- Each office has two doors, a closet for file storage, and a window
- Possible office occupants
 - Welfare office
 - Land Use
 - Assessing
 - Selectmen's Office
 - Past boards have met with the public in different locations both inside and outside the building
- Still a need for private meeting space in the town hall
- Project to be started as soon as possible

New Business

Clarification of 2/13/24 Select Board Motion for Map 11 Lot 003-6

- The spring property tax bill for this lot needed to be refunded in addition to the abatement of the fall property tax bill and interest
 - These are the bills for fall and spring 2023 respectively
- Faith Minton made a motion to clarify the property tax abatement of Map 11 Lot 003-6 and approve the refund of property taxes paid for the Spring 2023 property tax bill of \$3768.58. Chair Seidel seconded the motion, and the motion passed.
- Faith Minton made a motion to abate the Fall 2023 property tax bill for Map 11 Lot 003-6 of \$4854.36 and the interest accrued of \$73.57. Chair Seidel seconded the motion, and the motion passed.

Ordway House Property- 183 Waterloo St.

- Complaints received from residents regarding an active non-owner-occupied AirBnB on the property
- Issue was raised in previous year, but no cease and desist was sent to owner
- The Planning Board came forward to clarify that uses not explicitly specified in land use ordinances are not permitted
 - AirBnB-style rentals are not specified in Warner's ordinances
 - This is called a permissive ordinance
- House has been rented for a few weekends, and is currently being advertised as an AirBnB
- Zoning ordinances exist to protect residents and their property values
- Board intends to send a letter to ask the owners of the property to either cease and desist AirBnB operations or apply to the Zoning Board for a variance
 - The property owner has not applied for a variance at this time
 - Use wording of "short-term rental" rather than AirBnB and "non-primary residents" rather than "owner-occupied" or not

- This allows broader application to different scenarios not strictly related to the AirBnB platform
 - It may be worth adding “AirBnB” to the letter in order to name the specific function of the property in question
- Public hearings may be needed regarding whether Warner wishes to allow AirBnBs and similar usages of private property within the town
- Owners do not currently live on the property, and it typically remains unoccupied when not being rented
 - Owners have also expressed a lack of intent to reside in the town of Warner
 - They have also expressed a lack of desire to push for a special permit
- Rights of the abutters have to be considered in cases of short-term rentals
- Other short-term rentals in Warner?
 - Handful of other short-term rentals present in Warner
 - Should these properties be sent letters as well?
 - These properties have not been complained about
 - None of these properties have currently applied for variances
 - The Ordway house is different in that neighbors have complained regarding noise, traffic, et cetera
 - This can be treated as a singular instance that may very likely set precedent for the future
- Ongoing communication needed regarding the issue

Public Comment

- First Petition Presentation
 - Petitioner was notified of the date and chose not to attend
 - Article may need to be sent to DRA to check for legality

Administrator’s Report

- Contacted U.S. Homeland Security to evaluate IT security
 - Available for free
- First department head scheduled to work on Personnel Policy
- Primex Prime program
 - Working on getting into program
 - Would save money in terms of worker’s compensation
 - Renewal paperwork for Primex will involve update on sprinkler system
- Meetings with department heads, touring facilities (police department, fire department)

Manifest Motion

Motion to authorize the Select Board to approve and order the Treasurer to sign the following manifests:

- Accounts Payable check numbers 8132 through 8133, dated 2/20/2024, in the amount of \$57,523.12 covering the Federal Tax and Payroll deposits for the February 22nd bi-weekly payroll.
- Bi-weekly payroll checks numbers 3608 through 3616 and direct deposit check numbers E01412 through E01437 dated 2/22/2024 for a net payroll of \$44,322.03.

Faith Minton made a motion, Allan Brown seconded. All in favor. Motion passed.

Faith Minton made a motion to adjourn the meeting. Chair Seidel seconded the motion, and the motion passed. The meeting was adjourned at 7:03 PM.

Respectfully submitted,
Georgia Flanders
Zoom Administrator