



# Warner Board of Selectmen

## Meeting Minutes

### Tuesday, July 21, 2020

#### UNAPPROVED

#### **Preamble**

Chairman Carson read the following into the record:

Good evening, as Chair of the Selectboard, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of Town of Warner government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

#### **Public Session**

Attendance by teleconference: Selectman Clyde Carson – Chairman, Selectman Judy Newman-Rogers, Selectman Jonathan Lord and Town Administrator - Diane Ricciardelli

Others participating: Martha Mical

#### **Heating Fuel Bids**

Selectman Carson made a motion to team with Bradford and Sutton for bidding on the 2020/2021 heating oil. Selectman Newman-Rogers seconded the motion. Roll call vote: Carson – yes, Newman-Rogers – yes, Lord – yes.

Diane will contact Bradford and Sutton to move forward with the bidding.

#### **Primex**

Clyde said the Town received correspondence from Primex about a 2020 premium holiday for the Worker's Compensation Program in the amount of \$5,718.20. The Town has the option of taking a check this year or keeping it as a credit and applying it to next year. The questions Clyde has is the money considered unanticipated revenue, and if it is unanticipated revenue does the Board need to formally accept it. Or, can the money be viewed as a credit from Primex and credit the amount to the insurance line for this year. The sense of the Board right now is to move forward and look into taking the \$5,718.20 this year in which ever way the Town needs to account for it. Jonathan and Judy agreed. The Bookkeeper, Kelly Henley, said the money can be applied as a credit in the insurance line, but, she will check with the Auditor's to make sure.

#### **Census**

Diane said Census signs have been posted outside the Town Hall, Fire Station and the Library. On Saturday, July 25 and August 1, Census representatives will be at the Farmers Market so citizens can register. Warner, at this time has a 59.6% registration rate, Diane said that number needs to grow. The Census figures helps with Block Grants. After the registration period, the numbers will be reviewed and if the representatives need to continue offering registrations, they will. Clyde would be in favor of displaying a notice on the electric sign at the Telephone Museum. Diane said there is also information on the Town's website. Clyde said it is important that everyone responds to the census because it helps the Town and the State in terms of getting tax money back.

Martha Mical asked if anything was sent out by mail, she doesn't recall receiving anything. Diane is not sure if anything was mailed in Warner. Both Judy and Clyde recalled receiving Census material in the mail a number of months ago.

### **Horne St. Property**

Clyde said the Town received information on whether the property is considered abandoned. The Attorney told the Town because the property was taken for taxes, it is not considered abandoned, even if it hasn't been lived in for a period of time. The Attorney also advised the Board to use an Auctioneer but, the Board is leaning towards a bid process. Jonathan said he would like to use an Auctioneer for Map 11 Lot 15, but, will have more information to discuss at the next Selectman's meeting. He said the Attorney advised the Board that Auctions help protect the Town.

The Board will move forward with the bidding process for the property on Horne St. The Board needs to agree on a price. Judy said she will meet with Diane to begin the notices and postings. Tentatively the deadline will be the end of August.

### **Town Hall Sprinkler System**

The Director of Public Works is still waiting for the plans so the Fire Chief can review them. Clyde requested an update from the DPW at the next Selectman's meeting.

### **Old Fire Station**

Clyde said the status is still the same, the tenants are working on financing.

### **Recreation Plan for the Minks**

Clyde said he sent out a list of stakeholders that should be on the Committee and is waiting for feedback from the other two Board members. The next step is to create a purpose for the Committee.

### **Junk Yard Site Visits**

There are 2 locations that are required to renew their license every year with the Town. Clyde and Jonathan visited both sites. One site is located on Couchtown Rd. which has a plan in place to reduce the volume but is a slow process. The other is located on Chemical Lane consisting mainly of vehicles. The question asked was if any fluids are drained on the property because it is located near the wells for the Water District. The answer was all fluids are drained at a facility in Epsom. The Water District also monitors the wells.

### **Board Action**

Chairman Carson made a motion to approve the Junk Yard License Renewal applications based on the site-visits that were conducted. Selectman Lord seconded the motion. Roll call vote: Carson – yes, Newman-Rogers – abstained, Lord – yes.

### **Accessory Structure Building Permit for Map 6 Lot 54**

Judy said she and Diane met with Ben Frost, Planning Board Chair, and reviewed what was going on in regards to what the Town allows and the ordinances the Town has. They also reviewed the paper work they had and some history, but did not come to a conclusion of any kind because they want to make sure everyone is compliant where required. Further discussion will take place at the Board's next meeting.

### **Budget Committee Meeting Schedule**

Diane said she has not heard back from the Planning Board Chair regarding the September 17 date for the Capital Improvement Program presentation to the Budget Committee. Clyde said the CIP is a tool, not necessarily used for the budget process and what will be presented at Town Meeting. Judy said she noticed the smaller departments such as Cemeteries, Tax Collector, Landuse, were not listed to present to the Budget Committee. Clyde said the Selectman can present those smaller budgets when they present the Selectman's budget. Judy said at the Budget Committee meeting the Chairman wanted to have a budget by the end of September that included payroll and the bottom line of the budget because he doesn't want to see the budget changing all the time. Judy didn't think it is reasonable to expect that. Clyde said it's not only unreasonable, it's not realistic. Typically the Town doesn't have a benefit number until much later than September. Clyde feels the Department budgets should be presented only, with no bottom line of the budget.

Budget Committee member Martha Mical said the reason the BC was asking for this to be changed was because the Budget Committee was given a list of number of meeting by surrounding towns, and Warner had the greatest number of meetings. The Budget Committee then decided to reduce the number of times the departments meet with the Budget Committee to one meeting for each department. Martha said the way the Selectmen are talking now, the Budget Committee will need to meet with the departments again. Clyde said he doesn't know that, the Selectmen may make changes once the bottom line is achieved, but it will be at the very end, which is not unusual from prior years. Martha asked the Board if they want the Budget Committee to not change their meetings? Clyde said he doesn't know the answer to that. Martha said if the Board is not going to have the final numbers for the departments then the Budget Committee will need to meet with those departments again. Clyde said if the Selectmen review the department budgets before they go to the Budget Committee, those should be solid numbers. Then when the Selectmen get to the bottom line figure, a decision will be made if the budget needs to be adjusted to lower the bottom line, if so, then the Selectmen will do so.

Martha Mical said she will rework the meeting schedule. Clyde asked the Board if they have concerns with the Budget Committee meeting dates. There were no concerns.

### **Selectman's Other Business**

Jonathan said he is working on information to auction Map 11 Lot 15. He will also be visiting the Old Graded School with Charlie Albano and Emma Bates, the use of the building is being researched by the Economic Development Advisory Committee.

Clyde reported the Fall Foliage Festival will not be taking place this fall.

### **Town Administrator's Report**

Diane presented an abatement request in the amount of \$8.22. The Tax Collector is requesting an abatement for the interest charged (\$8.22). The taxpayer contacted the Tax Collector and inquired why their payment had not been processed. They wrote another check but soon after the other turned up in the mail. The Tax Collector feels the late fee should be abated because the property owner did mail the payment in a timely manner.

### **Board Action**

Chairman Carson made the motion to abate \$8.22 for Map 34 Lot 13. Selectman Lord seconded the motion. Roll call vote: Carson – yes, Newman-Rogers – yes, Lord – yes.

At 12 Newmarket Rd. there is a caboose, actually two trailers that are registered. Health Officer, Peter Wyman, visited the property because the neighbors are concerned. Peter spoke to the owner, it is a camper made to look like a caboose. No one is living there presently, but, the owner did say his in-laws would be staying there. The property owners were informed by Peter that the in-laws can only stay in the trailer for 90 days as a guest and the owner was fine with that. The gray water is being piped into the ground and Peter informed the property owner that is not allowed and will need to get a holding tank to dispose the water into the septic. There is also an incinerating toilet. Diane said after Peter Wyman visited the property she was told by someone they saw the property owner bury something in the ground. Peter will need to go to the property again to check that. Paul Proulx let the Town know that he was very disappointed that this would be allowed. Clyde confirmed that there is no action needed by the Board of Selectmen. Diane agreed.

Clyde said the property known as Pumpkin Blossom Farm had a pick your own lavender event. Clyde said the Selectmen, being the enforcing agents of the Zoning Ordinance, need to send a letter to the owner explaining they need to meet with the Planning Board for a Site Plan Review because they are not in conformance with the Zoning Ordinance. The biggest issue is parking and how that is impacting the neighborhood. Martha Mical said yes, there are a lot of cars, but they are parking on the property owners land, there are no cars on the road. Martha said she travels Pumpkin Hill Road daily and the only impact she sees is to the property owner of the farm. Clyde said they still need a Site Plan Review per the regulations. Judy said it could also be decided by the Planning Board that a Site-Plan is not needed once they meet with the Planning Board. Diane will create the letter for the Board, and she will also notify the person who emailed her about the pick your own lavender event that the Board will be sending the farm a letter. Martha Mical said the farm is now called Lavender Fields.

Diane announced that Mary Whalen has submitted her resignation as of July 30. Diane said she will talk to the staff to fill in while the Board plans the next step for the position.

### **Meeting Minutes**

Selectman Newman-Rogers made a motion to approve meeting minutes for June 29 and July 7. Chairman Carson seconded the motion. Roll call vote: Carson – yes, Newman-Rogers – yes, Lord – yes.

### **Manifest**

Chairman Carson made a motion to authorize the Selectmen to approve previously signed manifests and order the Treasurer to sign:

- Payroll check numbers 6384-6414 in the amount of \$54,234.20 (this includes 25 direct deposits). First Responder Stipends are included in this payroll.
- Accounts Payable check numbers 57681-57728 in the amount of \$400,960.69 (this includes a KRSD payment of \$284,850.46).
- An automatic withdrawal for payroll taxes for \$14,195.11

Selectman Newman-Rogers seconded the motion. Roll call vote: Carson – yes, Newman-Rogers – yes, Lord – yes.

### **Consent Agenda**

Chairman Carson made a motion to approve the Consent Agenda for July 21, 2020:

The items listed have been signed by the Board from July 8 to July 21:

1. 1 Reimbursement
2. Building Permits for: Map 11 Lot 57, Map 10 Lot 52-1, Map 32 Lot 38, Map 31 Lot 61 and Map 7 Lot 62-1
3. 2021 PA-28 Taxpayer Inventory Blank – The Town will not be using this form
4. Original Warrant Yield Tax Levy for: Map 11 Lots 42, 42-2, 42-2-1 and Map 20 Lot 20

Selectman Newman-Rogers seconded the motion. Roll call vote: Carson – yes, Newman-Rogers – yes, Lord – yes.

### **Public Comments**

No Comments

### **Nonpublic Session**

Motion to enter nonpublic session made by Chairman Carson at 8:00 pm, seconded by Selectman Newman-Rogers.

Specific statutory reason cited as foundation for the nonpublic session: RSA 91-A:3, II (C) reputation.

Roll call vote to enter nonpublic session: Carson - Yes, Newman-Rogers - Yes, Lord - Yes

Other persons present during nonpublic session: Diane Ricciardelli, Sean Toomey, Tim Allen and Tom Baye

Description of matters discussed and final decisions made: No discussion took place

Motion to leave nonpublic session at 8:31 pm and return to public session by Chairman Carson, seconded by Selectman Newman-Rogers. Roll call vote: Carson - Yes, Newman-Rogers - Yes, Lord - Yes.

### **Motion to Adjourn to July 23**

Clyde said nothing took place in the nonpublic meeting. Chairman Carson made a motion to continue the nonpublic meeting on Thursday, July 23 at 5:30pm.

### **Adjourned to July 23, 2020**

### **Public Session**

Attendance by teleconference: Selectman Clyde Carson – Chairman, Selectman Jonathan Lord and Town Administrator - Diane Ricciardelli

### **Nonpublic Session**

Motion to enter nonpublic session made by Chairman Carson at 5:45 pm, seconded by Selectman Lord.

Specific statutory reason cited as foundation for the nonpublic session: RSA 91-A:3, II (C) reputation.

Roll call vote to enter nonpublic session: Carson - Yes, Lord - Yes

Other persons present during nonpublic session: Diane Ricciardelli, Sean Toomey, Tim Allen and Tom Baye

Description of matters discussed and final decisions made: Minutes were sealed for (1) month.

Motion to leave nonpublic session and return to public session by Chairman Carson, seconded by Selectman Newman-Rogers. Roll call vote: Carson - Yes, Newman-Rogers - Yes, Lord – Yes.

**Public Session**

Attendance by teleconference: Selectman Clyde Carson – Chairman, Selectman Judith Newman-Rogers, Selectman Jonathan Lord and Town Administrator - Diane Ricciardelli

**Board Action**

Chairman Carson motioned to seal the minutes for (1) month. Selectman Newman-Rogers seconded the motion. Roll call vote: Carson - Yes, Newman-Rogers - Yes, Lord – Yes.

**Adjourn**

A motion was made and seconded to adjourn. Roll call vote: Carson - Yes, Newman-Rogers - Yes, Lord – Yes.

Board of Selectmen

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Clyde Carson – Chairman

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Judith Newman-Rogers

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Jonathan Lord

Recorder of the minutes: Mary Whalen