



TOWN OF WARNER

PO Box 265
Warner, New Hampshire 03278-0265
Telephone: (603) 456-2298 Fax: (603) 456-2297
warner.nh.us

Board of Selectmen
Clyde Carson, Chairman
Jonathan Lord
Sam Bower
selectboard@warner.nh.us

Diane Ricciardelli,
Town Administrator
administrator@warner.nh.us

BOARD OF SELECTMEN MEETING Tuesday, 7:00 pm May 25, 2021

No physical location for this meeting; it was conducted via Zoom.

1. ROLL CALL/PREAMBLE/ATTENDANCE

At 7:00 pm., Chairman Clyde Carson called the meeting to order and read this preamble: "As Chair of the Board of Selectmen, I find that due to the state of emergency declared by the governor as a result of COVID-19 pandemic, and in accordance with the governor's emergency order number No. 12 pursuant to Executive Order #2020-04, I'm invoking the provisions of RSA 91-A: 2,III (b). I also find that this meeting is imperative to the continued operation of the Town of Warner government and services which are vital to public safety and confidence during this emergency. As such, this public body is authorized to meet electronically, and we'll do so tonight via Zoom without a quorum of this body physically present in the same location. At this time, I want to welcome members of the public and remind them that the usual rules of conduct will apply. In addition, any votes taken at this meeting will be by roll call."

ROLL CALL: Clyde Carson, Chairman, one other in residence; Sam Bower, two others in residence.

Also present: Trustees of Trust Funds Kimberley Edelman and Julia Bodnarik; Peter Wyman and Steve Hall representing the Warner Firefighters Association; Librarian Nancy Ladd; Tim Blagden of the Concord-Lake Sunapee Rail Trail; Director of Department of Public Works Tim Allen; Police Chief Bill Chandler; Executive Director of the Warner Historical Society Lynn Clark and former Executive Director Rebecca Courser; Martha Mical; Karen Coyne; David Karrick; Nancy Martin Conservation Commission Chair; Tax Collector Marianne Howlett; Town Clerk Michele Courser; Administrative Assistant to the Board of Selectmen Judith Newman-Rogers; Town Administrator Diane Ricciardelli; and Recording Secretary Ray Carbone.

2. RESIGNATIONS

I. Action: Motion to Accept/Deny

Chairman Carson announced that Jonathan Lord has submitted a letter resigning from the Board of Selectmen. Carson thanked Lord for his service to the Town.

Carson made a motion to accept the resignation letter. Bower seconded.

ROLL CALL: Carson, yes; Bower, yes. Motion passed unanimously.

Carson said that the Board has begun looking for another person to serve on the Board to fill out Lord's term. In March 2022, two Selectmen seats will be up for election: one for the standard three-year term, and one for the one-year term to fill out Lord's term.

Carson also announced that C.J. Fitzgerald, Police Officer for the Warner Police Department, had resigned from his position. The Chairman thanked Fitzgerald for his service and wished him well. Police Chief Bill Chandler said that Fitzgerald is moving out of state and has decided to leave police service. The department will begin advertising the vacancy position next week.

Carson made a motion to accept Fitzgerald's resignation letter; Bower seconded.

ROLL CALL: Carson, yes; Bower, yes. Motion passed unanimously.

3. APPOINTMENTS

- a. Warner Historical Society Executive Director Lynn Clark and former director Rebecca Courser, re: Lafayette Trail Marker Proposal

Courser told the Board that the Lafayette Society, which promotes the contributions to the American Revolutionary War made by the French Major General Marquis Gilbert de Lafayette, has contacted the Town about setting up a historic marker that would commemorate his visit to Warner in 1825. The Society will create and contribute the marker to the Town if the Town agrees to install it and care for it.

Courser said that Lafayette was enormously popular at that time and was feted everywhere he went. He made several stops in the area, including at least two in Warner. At his stop in the Waterloo neighborhood, a local woman spoke at the public gathering (which was probably somewhat unusual) and her address noted the contributions that women made to the Revolutionary War effort, Courser explained.

Courser noted several locations where the marker might be set up, including one in Waterloo and one by the Town Hall. Tim Blagden of the Friends of the Concord-Lake Sunapee Rail Trail said that his group is working on a space that could be ideal for the marker, on the corner of East Main Street; there is an easement in place and the Friends plan to put a parking area there adjacent to the trail.

Courser asked when the land would be ready for the marker and Blagden said it would likely be about two years. Courser suggested that the Lafayette Society would likely not want to wait that long. Blagden suggested that Courser ask the group; alternatively, the marker could be set up in front of Town Hall until the Rail Trail land is prepared, he added.

Carson noted that some federal funds that have recently been approved could help the Rail Trail project move forward faster; the money could help a Warner Water District project adjacent to the area.

Carson voiced his support for the marker idea and asked that the issue be addressed again at the Board's next meeting.

4. **OLD/CONTINUED BUSINESS**

- a. Tim Blagden of the Friends of the Concord-Lake Sunapee Rail Trail
 - i. Additional information: Proposal for the Town to apply for a Recreational Trails Program Grant on behalf of The Friends of the Concord-Lake Sunapee Rail Trail
 - ii. Other NH Towns and the process for receiving and expending grant funds

Blagden said that his group has prepared the legal language for an easement on Town-owned land that the Rail Trail wants to use. He said he was unable to procure the information for another agreement that he and the Board discussed previously, but he asked that the members sign the easement he presented.

Blagden also thanked the Board and the Town Hall employees who have helped move his group's grant proposals forward.

5. **NEW BUSINESS**

- a. Marianne Howlett, Tax Collector
 - i. 1993, 2017 and 2018 Property Deeds

Chairman Carson said that yesterday (May 24) was the deadline for delinquent property tax owners to make their payments and several did.

Howlett said that, at this time, only four bills are still unpaid: Map 34, Lot 26; Map 17, Lot 17; Map 17, Lot 15; and Map 30, Lot 10 (which includes land and buildings).

In separate motions, Carson moved to accept the deeds to Map 34, Lot 26; Map 17, Lot 15; and Map 17, Lot 17. Bower seconded the motions.

ROLL CALL: Carson, yes; Bower, yes. Motions passed unanimously.

Carson then made a motion to waive the liens for the 2017 and the 2018 tax years on Map 30, Lot 10, and to send a letter to the owners stating that the Selectmen would like to see them either make an agreement with the Town to pay those taxes or put the property on the market for sale within the next 60 days; if no action is taken after 60 days, the Board will reconsider what further action it can take. Bower seconded the motion.

ROLL CALL: Carson, yes; Bower, yes. Motion passed unanimously.

- b. Marianne Howlett, Tax Collector
 - i. First Issue Warrant for the Tax Collector

Speaking on behalf of Assessing Clerk Deb Moody, Howlett said that the Board needs to sign the warrant to allow the Town to send out the first property tax bills of the year. Carson said he has signed the paperwork; Bower said he would sign it tomorrow morning.

Howlett also brought to the Board's attention the need to sign off on two significant tax abatement; one is for Warner Properties and the other is for Eversource Energy.

Carson pointed out that the abatements are the results of judgments made by the NH Board of Tax and Land Appeals that were not in the Town's favor. Carson said he has signed the paperwork and asked Bower to do the same.

- c. Kimberley Edelmann, Trustee of the Trust Funds
 - i. I. Moving Funds to Sugar River Bank

Edelmann told the Board that about 18 months ago, the Trustees had moved the Town's Capital Reserve and Expendable Trust funds to TD Bank. Now, after some research and reconsideration, the group has decided to move the funds back to Sugar River Bank, since it offers the best rates and service.

- d. Steve Hall & Peter Wyman
 - i. Fire Museum Proposal on the Site of New Fire Station

Wyman said that the NH Telephone Museum, which owns the building where the Warner Firefighters Museum is currently located, would like to expand its display area. As a result, the Warner Firefighters Association (a 501-C3) is considering constructing a small (approximately 30-foot-by-36-foot) structure behind the current new station house to house its antiques.

Carson said it would be good to keep the museum in Warner, but he wondered if and or how the new structure would impact the use of the property moving forward, and whether it would negatively impact neighbors.

Hall said that, if the new building is placed towards the rear of the lot, there should be sufficient room without compromising any parking space in the future; if the plan is able to move forward, neighbors will have opportunities to let their concerns be heard.

Carson suggested that the Association may want to speak with the Planning Board about the idea. Wyman said that would happen, if the Board of Selectmen indicated that it would consider the new building.

Carson suggested that the Association do a site visit with the Board members. Bower agreed and asked that Fire Chief Sean Toomey be present.

Carson asked Town Administrator Ricciardelli to set up the meeting for one early evening in the next two weeks.

- 6. Other Selectmen Business**
 - a. Agricultural Commission
 - i. Planning Board and Conservation Commission Representatives
 - ii. Applicants for Members at Large

Carson noted that Town Meeting voters in March approved the establishment of the new Agricultural Commission and that the Board is responsible for selecting its members. For the last 10 days, there has been a posting on the Town website asking for interested volunteers for

the at-large seats. Admin Assistant to the Board Newman-Rogers reported that six or seven residents have applied.

Bower, who will be the Board of Selectman's representative on the Commission, suggested that the post be left up for another few weeks before the Board begins evaluating the applications. Carson agreed, and asked Newman-Rogers to email all applications to the Board members as they become available.

Carson also asked Newman-Rogers to send emails to the Planning Board and the Conservation Commission, asking those groups to identify their members who will serve on the Agricultural Commission. He said that the message should stress that the Selectmen are looking for people who have connections to the Warner farming community.

- b. Remove Class VI Road Ban of Wheeled Vehicles, Recommended by Director of Public Works Tim Allen
 - i. Action: Motion to Approve/Disapprove

Allen told the Selectmen that while he hasn't checked every Class VI road in Town, the time appears to be right to remove the restrictions. He pointed out that there's been no recent rainfalls and he believes the ground is dry enough.

The Selectmen agreed.

Carson also noted that there were some dead trees in the area around the Town's war memorial statue and that a company that was doing some work for Warner MainStreet (new owners of the former Masonic Hall property adjacent to the statue property) graciously removed the dead trees. He asked that Newman-Rogers send the company a letter of thanks on behalf of the Town.

Carson also said that Pellettieri Associates, a local landscaping company, has offered to plant some replacement trees on the former Masonic Hall property if the Town removes the old tree stumps. He asked that Newman-Rogers send a letter of thanks to Pellettieri as well.

Martha Mical noted that the former Masonic property is not owned by the Town and questioned why the Town would be involved with the transaction.

Carson said the details would be reviewed and worked out.

7. Town Administrator Report

- Ricciardelli asked the Board to approve the transfer of \$15,000 from the General Fund to the Employees Expendable Trust Fund, as approved by voters at the annual Town Meeting in March.

Bower made a motion to approve the transfer; Carson seconded.

ROLL CALL: Carson, yes; Bower, yes. Motion passed unanimously.

- Ricciardelli updated the Board on five grant proposals that have been submitted to the office of Sen. Jeanne Shaheen. She noted that all had the required minimum of two letters of support from residents; in fact, all the applications had between five-to-seven letters. She thanked the Town for its support, noting that it does have an impact on the grant awards.

Ricciardelli also thanked Tim Blagden for his help with some of the grant paperwork, and asked him to discuss some of the grant proposals with the Board.

- o The grant request for the Exit 8 Rail Trail project, is for \$2,061,000. Blagden said the project would clean up, repair, and create a recognizable “rail trail” from the exit 8 area off Interstate 89, running eastwards approximately adjacent to the interstate (including using some portions of the medians) to an area by the Lower Warner Cemetery then alongside the old rail trail to the Meeting House area. At this point, the trail will connect with another trail that the Friends already have necessary waivers to work on and improve. (Blagden noted that the project will likely repair some damage left behind from 1960s construction techniques. Some of that work, which should also improve the wetlands area, has already been done by engineering students from Dartmouth College, with the assistance of the National Park Service and the Central New Hampshire Regional Planning Commission.)
- o Blagden said that the proposed Exit 9 project will also allow the Friends to complete a portion of the trail running roughly behind the Warner Community Center (WCC, aka Old Graded School) out to Interstate 89’s exit 9 area. It would include a new pedestrian bridge that would cross over the Warner River. At that point, the trail would split: one portion would go north, where another pedestrian bridge will cross over Stevens Brook and access to the rear of the Evans Expressmart (where trail users can visit the store and/or use the crosswalk on Rte. 103 to reach the other businesses in the commercial area.) The other leg of the trail would go under Interstate 89 (as vehicular traffic does now) and move to the south where it will end near Waterloo Street.

Both projects will tie the westerly and the easterly areas of town back into a closer connection with the main village because all will be easily connected either by foot or by bicycle, Blagden said.

- o A 75-foot Pedestrian Covered Bridge, to connect Depot Street and Riverside Park, starting where the Rail Trail ends. Ricciardelli said it would create a good pedestrian route (especially for children) connecting Simonds Elementary School, the Pillsbury Free Library, and Riverside Park. Estimated costs are between \$150,000 and \$500,000, depending on materials.
- o An elevator in the WCC, which would cost approximately \$150,000, would make the structure handicapped accessible. That will allow more than one group to use the space at the same time, and make more space in the building usable.

- A new Skateboard Park, estimated to cost \$60,000. A previous park had to be torn down due to deterioration.

Carson noted that these are competitive grants, so other projects around the state are seeking the same funding, but decisions – and the funding – could be imminent.

- Ricciardelli suggested that the Board members begin again considering exactly when they can reopen the Town Hall to the public; it’s been closed since the pandemic began in April 2020. She suggested July 1, adding that she has been meeting with the various department heads for some time now to address the idea. In addition, Information Technology Director Dan Watts is working with Chairman Carson about reopening Town board and committee meetings; Carson wants to keep the remote option available for meetings because it has allowed many more residents to participate. (The challenge is how to electronically coordinate that option with attendees at the “live” meeting.)
- Town attorneys are considering the language for an easement that will allow Eversource Energy to work on Pumpkin Hill, Ricciardelli said. The information should be available at the next Selectman’s meeting.
- The \$29,000 shelving project for the Town Clerk’s office is finally moving ahead after the materials arrived recently. Ricciardelli said that it is surprising how much larger the storage area now looks, with shelves up to the ceiling. It will take some time, she said, but when the work is completed, all Town records will be in that single space. (Librarian Nancy Ladd indicated that her facility now has a computer program and microfilm printer that residents can use to access and print old records on file.)
- Ricciardelli said she’s still working on the new phone service project, trying to make sure that there will not be an unreasonable jump in the cost of TDS’s services.

8. PUBLIC COMMENT

None.

9. CONSENT AGENDA

Selectmen Bower made a motion to approve the Consent Agenda previously signed by the Warner Board of Selectmen:

1. Intent to Cut: Map 13, Lot 001
2. Veterans’ Tax Credit: Map 03, Lot 085
3. Cemetery Deeds: Lot 110A in Davisville Cemetery
Lot D-16 in New Waterloo Cemetery
4. Payment of Approved Settlement Abatement 2020:

Map 31, Lot 016,	\$239.84
May 10, Lot 018-4,	\$210.04

5. Request for funds in the amount of \$5,902.00 from the Parks and Recreational Capital Reserve Fund to Quimby Construction for half the cost of the shed at Riverside Park.
6. Request for funds in the amount of \$1,392.03 from the Employee Expendable Health Trust Fund.
7. Request to the NH Retirement System to waive a \$254.36 January 2020 late fee.
8. The 2022 Forest Fire Warden/Deputy Reappointment Form, submitted by Fire Warden Paul Raymond, to the Department of Natural and Cultural Resources Division of Forests and Lands
9. Authorization for Timothy Allen, Director of Public Works, to enter into agreement with the NH Department of Environmental Services to execute any documents necessary for the Aquatic Resources Mitigation (ARM) Fund Grant.
10. First Issue 2021 Real Property Commitment Totals.
11. The final abatement amount of \$24,501.34 for Warner Power, LLC, Map 32, Lot 001, as agreed in the Board of Tax Land Appeal decision.
12. The fourth of six payment amounts of \$25,579.00, abated for Eversource as agreed in the Board of Tax Land Appeal decision.

Carson seconded the motion.

ROLL CALL: Carson, yes; Bower, yes. Motion passed unanimously.

10. MANIFEST

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

- Payroll check numbers 6727-6750 in the amount of \$75,435.70 (This includes 45 direct deposits and covers 2 payroll periods).
- Accounts Payable check numbers 58682-58757 in the amount of \$651,872.10.
- Parks & Rec Revolving Account check numbers 1019-1020 in the amount of \$929.44
- Automatic withdrawals in the amount of \$38,363.59 for payroll taxes and NH Retirement.

Bower seconded.

ROLL CALL: Carson, yes; Bower, yes. Motion passed unanimously.

11. APPROVE MINUTES

No minutes were considered.

Carson announced that there was no further public business that would be conducted at this meeting and that the Board would move into a nonpublic session to consider two personnel issues after which time the meeting will Adjourn.

12. Non-public Session

- A. Motion by Carson / Bower to go into Non-public Session under: 91-A:3 II(a) - dismissal, promotion, compensation, disciplining or investigation of charges; if the public employee has a right

to a meeting and requests it be public, request must be granted

- B. Second: ~~Carson~~ / **Bower**
- C. Vote by roll call: Carson: **YES** / ~~NO~~ Bower: **YES** / ~~NO~~
- D. Motion: **PASSED** / ~~FAILED~~
- E. Enter Non-public Session: Time 8:17 pm
- F. Return to Public Session: Time: 8:43 pm
- G. Motion by Carson on Non-public minutes: ~~Available or~~ **Sealed Permanently – Personnel**
- H. Second: ~~Carson~~ / **Bower**
- I. Vote by roll call: Carson: **YES** / ~~NO~~ Bower: **YES** / ~~NO~~
- J. Motion on Minutes: **PASSED** / ~~FAILED~~

13. Non-public Session

- A. Motion by **Carson** / ~~Bower~~ to go into Non-public Session under: 91-A:3 II(b) - hiring a public employee
- B. Second: ~~Carson~~ / **Bower**
- C. Vote by roll call: Carson: **YES** / ~~NO~~ Bower: **YES** / ~~NO~~
- D. Motion: **PASSED** / ~~FAILED~~
- E. Enter Non-public Session: Time 8:44 pm
- F. Return to Public Session: Time: 9:08 pm
- G. Motion by Carson on Non-public minutes: ~~Available or~~ **Sealed Permanently – Personnel**
- H. Second: ~~Carson~~ / **Bower**
- I. Vote by roll call: Carson: **YES** / ~~NO~~ Bower: **YES** / ~~NO~~
- J. Motion on Minutes: **PASSED** / ~~FAILED~~

Adjourn at 9:09 pm.