



# TOWN OF WARNER

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Board of Selectmen  
Clyde Carson, Chairman  
Sam Bower  
Christine Frost  
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Diane Ricciardelli,  
Town Administrator

October 12, 2021

## BOARD OF SELECTMEN MEETING MINUTES DRAFT

Tuesday, 6:30 pm

### I. Roll Call / Attendance

Present: Clyde Carson, Chair Sam Bower, Selectperson Christine Frost, Selectperson

### II. Non-public Session

A. ~~Carson / Bower / Frost~~ Motion to go into Non-public session under:  
**RSA 91-A:3 II (d)** - consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

1. Second: ~~Carson / Bower / Frost~~

2. Vote by roll call: Carson: YES Bower: YES Frost: YES

3. Motion: **Passed** / ~~Failed~~

B. Enter Non-public session: Time: 6:31 pm

C. Return to public session: Time: 6:55 pm

D. Clyde: Motion on Non-public minutes: ~~Available~~ / **Seal: Time: 2 Years**

1. Second: ~~Carson / Bower / Frost~~

2. Vote by roll call: Carson: YES Bower: YES Frost: YES

3. Motion on Minutes: **Passed** / ~~Failed~~

### III. 7:00 Appointment

#### A. Warner Conservation Commission, Ground Water Sub-Committee

Presenting: Alice Chamberlain, Member of the Warner Conservation Commission (WCC) Ground Water Sub-Committee

We feel this is timely to look at if Warner's ground water is well protected. It is getting busier in the areas along the Warner river. We have an appointed Economic Development Advisory Committee (EDAC), there is new and greater need for affordable housing, and potential commercial growth along the river. It is time to see if our regulations are strong enough to protect us through the changes. Everyone can benefit from learning about our Warner resources. We need many partners. Most importantly, the Water Precinct. Ray Martin, Administrative Assistant for the Warner Village Water District (WVWD) gave us on a tour. We learned that we need to include in this grant, the support for a new well site, and what they would need to put in a new well site. This is new information. We realize this could benefit the village area.

Locating a 3<sup>rd</sup> well in the area, and working with the Planning Board. In 2014 there was a motion to protect the water, it was not well received, but it is time to review regulations. We have talked to Ken Milender, Chair of the Warner River Local Advisory Committee, (WRLAC) extensively at this point. It is a 1.5 year project and this is

the last stage. The Town has to be the applicant for the grant. We appreciate the Town doing that. We are working within the aquifer.

Clyde: Is there a match component?

Alice: It is not required, but we get extra points if we provide a match. The most common match is volunteer time. If we prepare two meetings, then that is counted a match.

Clyde: If there is no requirement for funds to be matched on the part of the Town, my question is - Warner wants to do a ground water study, this is great but why? In NH is this a big deal?

Alice: There is a fair amount of media around towns that are struggling with serious contamination. I don't think people are aware of how resource intense we are between exit 7 and exit 9. People are excited about this. And people are concerned. There are examples around the state that entire communities are impacted by ground water resources.

Clyde: Historically, the Town has always supported these types of projects.

Christine: What is the grant amount?

Alice: Up to 25k and I realized today we can apply for the extra 5k for climate change effects. It makes perfect sense that we ask for the \$5,000 for sighting a new well, due to flooding, intermittent drought conditions and climate change. The #1 concern is overall buildup of pollutants and we will engage with Department of Transportation (DOT), looking at the potential contaminants in the water shed.

**Clyde: Motion to support and apply for a grant from the New Hampshire Department of Environmental Services Drinking and Groundwater Bureau for a Local Source Water Protection in the amount of \$25,000, plus \$5,000 for climate change considerations. Second – Sam. Voice Vote, All in Favor, Motion Passed.**

Alice: Timeframe: We would have information and education at Town Meeting (March 2022) for townspeople. The grant will be awarded in May or June of 2022. Planning Board work would take place over a full year, and the 2023 Town Meeting will have information regarding that.

Clyde: Do I understand we have to apply by November 1?

Alice: Yes. I think Town Administrator, Diane Ricciardelli, can sign. A draft will go to Central Regional NH Planning (CRNHP) and to Diane tomorrow. We will be soliciting letters of support from the WVWD, EDAC, MadgeTech, Comet LLC, Adam Quinn, and WRLAC.

## **B. Presentation of the 2022-2027 Capital Improvement Plan (CIP)**

Presenting: Ben Frost, Planning Board Chair.

Thank you for having me. I sent the Capital Improvement Plan (CIP) to you last week, and since that time, I realized there are some corrections. (Which are noted later in the presentation)

Statutory purpose: By Law, CIP covers a minimum of 6 years. All we, The Planning Board, do is look at the Town's capital needs for the next 6 years. We solicit input from departments to identify the capital needs; for example, a project or a piece of equipment that has a useful life of at least 3 years, and a minimum cost of 15k. That is what the criteria has been for a number of years. The Planning Board does not deny requests. We gain a better understanding of requests, asks for clarification, and look for priority recommendations. At the end, the Planning Board includes in the CIP what departments have asked for, and take an independent vote to place rankings. These are: 1. Urgent (needed for health or safety), 2. Necessary (must happen for maintenance upkeep or legal reasons. For example: Town Revaluation, it costs more than 15k and the Town is required to do a revaluation every 5 years), 3. Desirable, 4. Deferable, 5. Research.

This year we have only 1-3 categories. We also have project summaries this year, some in greater detail than others.

CIP is a financial tool used by the Town: funds for CIP requests are a “savings account” used by the Town that are created through Town meetings, and with appropriations also made through Town Meeting. The Select Board is usually appointed as the “Agent to Expend”. In the case of this year’s CIP, all but one request already have a “savings account” or Capital Reserve Fund, setup.

**Multi-use Path:** \$95,000 - Funds request. In 2023 you will see an expenditure coming out of the Capital Reserve Fund.

**Revaluation:** We could have added something in 2026 and 2027, but it was not part of the spreadsheet.

**Town Clerk:** \$20,000 – Funds request. A request of annual appropriations for records preservation. This allows the Town Clerk to keep pace with preserving materials and to work on the back log of documents. We have a number of those that need to be properly archived.

**Police Department:** Chief Chandler has indicated that this is necessary to keep up with replacement vehicles. (page 24). At the end of the PD form, you will see part 5.4 is a table that under the sources, annual appropriations to CIP, and then years in which the department expects to acquire the vehicles. The 2017 SUV, depending on usage, might need to be replaced in 2024, instead of 2025, and this will impact 2023 and 2024 CRF.

**Public Works:** Bridges, Roads, and Highway Equipment.

**Bridges:** Fund project has a few different things in it with complex spreadsheets. (page 30) in 2022; N. Village Road, \$50,000 for repairs to the bridge which is red listed. You will also see two big item: Bridge at Schoodacs Road, and Plains Road bridge. Tim Allen, Director of Public Works (DPW), is concerned that they may be a little close together but provided the town makes the appropriations for bridge costs, then this will work.

**Highway/Roads:** Top priorities are

- 1) (2022) Schoodac Road which has degraded a lot faster, and we are not sure of the cause. The base of the road may not be shedding water. The plans is to rehab the road and redo the base coat.  
(2022) Blasting in the gravel pit. Depending on ledge, there is about ten years left using the pit.
- 2) (2023) Work on Pumpkin Hill Road , \$5,000 project, from The Lavender Farm to the Cogswell property, can be done by the highway department.
- 3) (2025, and 2027) Two sections on North Village Road, by the box culvert to Flanders Road, and then above that.

The PB had a discussion about what is really needed. Even increasing the request to \$300,000 does not allow the Town to keep up with what needs to be done on the Town roads. There are a lot of projects that need to be done to reduce long term costs. The PB talked about a substantial bond, front-loaded costs, there are ways of structuring the bond so you authorize the bond, but don’t draw it out. The work done on Waldron Hill Road was chip sealed and a lot less than rebuilding. I also mentioned this to the Budget Committee and it seems they are amendable to it.

**Equipment:** (page 32)

- 1) (2022) Proposed is the replacement of the Parks & Recreation (P&R) tractor/mower  
(2022) Replacement of Mac Truck dump truck. Then replacement by regularly rotating vehicles out. With the Dump Trucks replacing them with a sander body, will survive two chassis. Then you just replace the chassis, and put the sander on the new chassis to save the Town money.

Clyde: The Town passed an article several years ago that equipment must be in the CIP, and we must have public hearings.

Ben Frost: There is an error in the DPW projected works available funds. Highway Road construction should be \$358,000 and the equipment line should be \$153,000. They will be fixed in the updated version. This does not impact future appropriations, only what the Town expects to be available at the end of this year.

**Transfer Station:** This is a new fund created in 2021.

This is a work in progress. When we first met with Varick Proper, Transfer Station Foreman, his numbers were incomplete. We received revised numbers, and we voted on them, so we do not have clarity. We see the replacement in the facility of a new compactor. And then in equipment, there is a new compactor. There would be more efficient flow of traffic in the facility.

**Fire Department:** Page 51 and 53.

**Firefighter Equipment.** This had been in the CIP for a number of years and then taken out and put into the department budget, and the department asked to have it put back in the CIP. The individual pieces of equipment don't meet the criteria of 15k, but in aggregate they do. Capital reserve request for several years out, the Lucas equipment provides better likelihood of success for heart compression. We recommended that the cost of scuba gear be front loaded for a few years, rather than see entire cost. But that did not change so we asked the FD to revisit that for next year.

**Fire Department Vehicle Replacement:** Items on page 59.

- 1) (2022) Rescue 1, rotating that out at a cost of \$250,000.
  - 2) Forestry, 1984 suburban, donated to the Town, has seen most of its reliable life. The FD plans to replace with a Ford F 550.
  - 3) (2025) Replacement of Tanker 1, \$250,000.
  - 4) (2026) Rescue 2 replacement
- The department included additional years to 2028.

**Emergency Management:**

Town meeting created the Kearsarge Mountain Road (KMR) Emergency Access Alternate Route Capital Reserve Fund. There are three possible alternatives. This project is meant to do preliminary engineering to determine the best route, and the cost associated with that route.

**Library:** One Capital Reserve Fund, two requests.

- 1) HVAC, Page 4: Replacement should be \$109,600 on that line instead of \$62,600. On page 3 of appropriations, HVAC, this will complete the project as projected by the Library Board of Trustees. This is urgent as it is seen as a public space for Town functions.
- 2) (2025) Carpet replacement. The carpets are way beyond their useful life. When replaced, the library has a chance to rethink traffic flow.

**Conservation Commission:** When a Town votes to create a Conservation Commission, it will have a Conservation Fund. There may not be money in it, but the fund exists. In Warner, it was voted to transfer 100% of the Land Use Change Tax collected to the Conservation Fund. Towns are enabled by statute to devote part or all of the change tax to the Conservation Fund.

I talk about the process of the CIP but there is also a statutory purpose. Although it has no binding effect it serves to advise the Select Board and the Budget Committee.

If you see changes that would be helpful, please let me know.

#### **IV. New Business**

##### **A. Jen Courser, Agricultural Commission.**

There is an opening on the commission. The Board will speak to this next month.

##### **B. Warner River Local Advisory Committee Re-appointments**

Speaking as the Chair of the Warner River Local Advisory Committee (WRLAC), Ken Milender introduced members Laura Russell and Chris Spann-Weitz, saying all are agreeable to be reappointed for another 3 years. Mr. Milender said there are five towns and there are 2-4 representatives per Town. There are three concurrent terms.

Ken Milender provided some background: In 2016, a group got together and nominated the current team of three to represent Warner in the effort to protect the designated rivers, in a corridor that extend about ½ mile out on either side of the river bank. In 2018 the Warner river became a designated river. This is the strip of land that we – as a “quasi-public” state agency - advises the government on land use in that land strip. When there is a land use permit, we find out about it. We are free to give our opinion to a board (planning, conservation, environmental services, et al) that is involved and they are free to take that information into account.

We received several grants and worked with Central NH Regional Planning Commission (CNHRPC) to create our Corridor Central Management Plan, our guide book on what we would like to do to protect the river corridor. We do have some hold over river applications that are in flux.

Christine: Are there urban areas along the corridor?

Ken: there are no urban segments. Downtown Warner is a Community River Segment.

Sam: How are the appointment years done? Most other committees we stagger the terms.

Ken: The Department of Environmental Services (DES) set that up when we started. There are 12-15 total reps. When you take the entire committee, there is plenty of staggering.

Christine: The inter-town coordination of this process is amazing. It sounds as if there would be great support for the grant that Alice Chamberlain just presented.

Ken: This is going to be a big project.

Christine: Do you get notified by the Planning Board?

Ken: Not in a formal sense but that communication is being set up.

Clyde: Typically in Town, we like to have appointments align with Town Meeting. I would propose that we appoint “Three Years PLUS”, so that terms end April 1, 2025.

Ken: If that is the Board’s pleasure then we will sign up for 3.5 years.

**Cyde: Motion to re-appoint, Ken Milender, Laura Russell and Chris Spann-Weitz as Warner Representatives to the Warner River Local Advisory Committee until April 1, 2025. Second by Christine. All in Favor. Motion Passed.**

#### **C. Schedule Work Session for Review of Proposed 2022 Budgets**

The Board set sessions as follows: Monday and Tuesday at 8am will be elections, finance, Town Clerk, Tax Collector, Assessing, Emergency Management.

#### **D. Policy to include a “Posted” Date on Committee and Board Notices, Legal Liability**

An email regarding this was sent to departments.

### **V. Old Business**

#### **A. ARPA Funds.**

The Town’s total amount is \$304,000. Christine put together a memo to seek proposals for how funds can and can not be spent. If a non-profit is awarded funds, they have responsibilities and obligations to report to the Town along with their responsibilities for part of the DUNS and Sam system, submit a 1-2 paragraph outline of what you are proposing, with specifics, a statement of how the Town of Warner benefits from the proposal and how the proposal will not lead to any ongoing costs to the Town.

Sam: This is a good way to organize. It helps people know what will be expected of them. It would be good to have that language.

Clyde: I am thinking we should have it in 2 pieces. We are asking for their ideas, and then for the groups we want to go forward, then this is what it means.

Christine: Funds can be used for a list of options that is a lot of work for staff, there is accountability for staff. Given the amount of other opportunities to spend these funds, then it is a burden we may not want to take on with only 304k. My suggestion is that we take that language out.

Clyde: I think if we have an organization that can benefit people in a broad concept.

### **B. Sansoucy Engineer and Testing PE, LLC Contract (Town Utility Appraisals)**

Further explanation of the contract and a meeting with Sansoucy was requested before signing.

## **VI. Other Business:**

1. There was a ceremony at the Indian Museum, Monday, October 11, yesterday, Warner's first Indigenous Peoples' Day. It was live streamed on Facebook and was covered by WMUR News.

2. First meeting of the Community Power Committee was held, there will be a monthly meeting of trustees. This opens the Town context to other resources.

## **VII. Town Administrator Report**

1. Municipal Technology Systems (MTS) Proposal – the Town Administrator, Select Board Chair Clyde Carson and IT Director Dan Watts met with MTS for a presentation of an accounting software. (Finance staff was not available)

2. Approximately \$1570 requested to provide equipment for Owl hybrid meeting set-up.

**Clyde: Motion to approve \$3000 from ARPA funds, to cover Dan Watt's IT time and a monitor, cables, locks and equipment as needed to provide remote participation/ hybrid meetings. Sam: Second. All in Favor. Motion Passed.**

## **VIII. Public Comment**

1. John Leavitt asked about the OWL. He was told the Owl is currently being tested at meetings for future use, after the additional equipment is received, testing will continue until the process for users can be set up in the simplest format.

2. Jim Hannah, Hanna Excavating, asked for information on how to proceed with a project in Warner. He is employed to install a new septic system. A cease and desist order was issued while he was working at the site. He asked if he could continue with the septic, it is half done, he has all the appropriate state approvals, but if his customers building permit is not renewed then he would like to know that possibility to advise the customer financially. Mr. Hanna asked how do you renew a lapsed building permit? He said he understands there is a shared driveway and a Right of Way.

Kyla Graves, property owner and applicant on the building permit also asked for clarification.

After a short discussion, the Board decided to meet in non-public Sunday, October 17, 2021, at noon to discuss the issues that have occurred.

## IX. Consent Agenda

Motion to Approve the following as read into the record for the October 12, 2021 Select Board Meeting, signed previously or at the meeting:

1. Building Permits For: Map 09 Lot 014-1
2. Heavy Hauling Permit to Brooks McCandlish over Dummer Road
3. Elderly Exemption, Map 14 Lot 005-8-1

## X. Manifest

Motion to authorize the Selectmen to sign manifests and order the Treasurer to sign:

1. Payroll check numbers 6859-6906 in the amount of \$91,068.01 (This includes 44 direct deposits and includes 2 payrolls).
2. Accounts Payable check numbers 59065-59143 in the amount of \$844,693.14.
3. Automatic withdrawal in the amount of \$48,497.08 for payroll taxes and NH Retirement.

## XI. Minutes

Christine asked to amend minutes for September 14, 2021, Page 5 to read:

“Tim Blagden asked can individual resident opt in? No. They can only opt-out.”

**Clyde: Motion to approve September 7 & 14, 2021 minutes as amended. Sam, Second. All in Favor. Motion Passed.**

## XII. Non-public Session

A. ~~Carson / Bower / Frost~~: Motion to go into Non-public session under:

**91-A:3 II(c)** - matters if discussed in public would likely affect adversely the reputation of any person; this extends to any application for assistance, tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

1. Second: ~~Carson / Bower / Frost~~
2. Vote by roll call: Carson: **YES** Bower: **YES** Frost: **YES**
3. Motion: **Passed / Failed**

B. Enter Non-public session: Time: 9:15 pm

C. Return to public session: Time: 9:25 pm

D. **Sam**: Motion on Non-public minutes: ~~Available/Seal~~: Time: Permanently

1. Second: ~~Carson / Bower / Frost~~
2. Vote by roll call: Carson: **YES** Bower: **YES** Frost: **YES**
3. Motion on Minutes: **Passed / Failed**

**Adjourn Meeting** 9:27 pm

Respectfully Submitted,  
Diane Ricciardelli,  
Edited,  
Judy Newman-Rogers

Draft posted 10/25/21