



# TOWN OF WARNER

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## Select Board Meeting DRAFT Minutes

**Tuesday, 6:30 pm, August 30, 2022, Lower Meeting Room, Warner Town Hall, 5 East Main St**

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### I. **6:30 pm Open the Meeting/Roll Call**

Chair Sam Bower opened the meeting at 6:32 pm and called roll:

Present: Select Board Chair Sam Bower, Select Person Christine Frost

Also Present: Administrative Assistant to the Select Board Judy Newman-Rogers

**Absent:** Select Person Lois Shea, Town Administrator Diane Ricciardelli

### II. **Appointments**

#### a. **Conservation Commission Proposed Budget – Nancy Martin**

Nancy said the budget is the same as it was last year, \$1081. The last financial update showed that they hadn't spent any money yet but the next day she got a request from the "Taking Action for Wildlife" group for \$500 for seeds and some building materials for the pollinator farm, and for the nature trail they will be installing at the Chandler Reservation with the full consent of the Chandler Reservation. There may be a kiosk added, but not until next year.

Sam asked when the seeds will be planted. Nancy said they would be planted this fall.

Sam asked about the money that was voted on at Town Meeting? Nancy said that is a Conservation Fund the Commission has (by RSA) for conserving land and is a different than the Operating Budget. She just got a request for \$5,000 to pay off the survey completed on the Fletcher Farm. Five Rivers will manage this conservation easement. An LCHIP grant was obtained so all the Town had to pay for this project was \$5,000. Nancy estimated that there is about \$60,000 in the Conservation Fund. The next project is the blueberry farm.

#### b. **Tim Blagdon – Rail Trail Program**

Tim said the Friends of the Concord/Lake Sunapee Rail Trail were hoping to add trails through six towns. He provided a handout to follow along with his presentation of what has been done, what's in process and what is to come. They will be applying for some grants to help pay for over 11 miles of future trails in Warner. They would like to get an easement to cross a property known as map 14, lot 3 at the end of Willey Lane, which is owned by the Town. They would like to get a grant to do a project around Exit 9. State Senator Annie Kuster has made Federal funds available for this kind of work. Tim explained the route that they would like to implement, which included a few pedestrian bridges. A rendering of what this would look like was shown.

There was discussion about the plan. Tim said there is a huge amount of public outreach that is part of the grant. Sam said that most folks know that there is a rail trail being worked on. Tim said that he hasn't gone and knocked on the doors of those who live near this project. This is on his to-do list.

Ed Mical asked the distance from the end of Willey Lane to the highway? Tim said it was a little over 2,000'.

Christine asked if the bridges would be passable by snowmobiles. Tim said he thought they would be, although he wasn't sure if a groomer would be able to pass. He would look into this. He added that when they get an easement from a landowner, they don't mention access in the language. They aren't trying to build a snowmobile trail; they leave that access question up to the landowner. Christine thought this would be an appealing opportunity to the snowmobile riders. Tim said the only thing they will prohibit is OHRV travel because they tear up the trails.

Ed Mical asked who was responsible for the maintenance of the trail. Tim said it was their intent when applying for the grant that the Friends of the Concord/Lake Sunapee Rail Trail (his organization) would be responsible for the maintenance. NH DOT called them and said that they want the Town to be ultimately responsible for the maintenance. Christine said that this is due to historic issues with nonprofits dissolving and leaving responsibilities of maintenance left to figure out. Tim agreed that the rail trail group could have an agreement in writing with the Town that they would maintain the trails for the Town. Tim said the project would be \$1.2 million in federal funds and \$300,000 in private funds. The rail trail group would be the grantee and would have a contract with DOT.

Tim said that the Town would assume no liability for injury on the trail.

Sam said he was in support of the project and would be in favor of moving forward with the easement. Tim said that Derek Lick who works at Attorney Office Sulloway and Hollis does pro bono work for their group and would draw up the easement language for review.

Sam said he assumes that the easement would continue after a possible sale of the property to someone else. Christine said it was unlikely they'd sell the property; at most they would do a lot line adjustment if needed.

Tim said in regards to another part of the project, (he had a Power Point presentation), there was another easement. Near Waterloo Cemetery on 103 there is a private parcel (parcel 5), and then parcel 9 that has an old railroad loop on it, which touches Morse Lane. It is their intent to use Morse Lane to come down to the end into Sutton. Sutton agreed to let them use the bridge there and 300' of a class VI road. They would like to ask Warner for an easement on Map 17, lot 9. Parcel 5 does not have an easement on it, but the landowners currently let people walk on it. There are railroad ties on it still. 1,700' of the trail is in Sutton.

Sam suggested getting easements drafted for both parcels and they would take a site walk. Christine said she appreciated the work but would be hesitant to do the easement over parcel 9 without an easement over parcel 5. Tim said they won't build a section of trail that is close-ended. The easements won't come all at once but this is something that, as a project, would follow sometime after the federal funding came in.

The tentative date for this site walk is Saturday, September 24<sup>th</sup> at 2pm. It will be noticed if more than one Select board member will be present.

c. **Agricultural Commission (AC)**

Sam said that the AC tried to get a grant to for money to do a survey about what citizens would like to see them do in town. They didn't get the grant and he wondered if the Town could provide funding to send out their mailing. The commission doesn't have a budget.

d. **Emergency Management Committee, Ed Mical**

Ed asked permission to move forward with the process to get a grant for the Kearsarge Mountain Road project. There was \$5,000 put into a Capital Reserve Fund initially and in 2020 an additional \$7,000 was put into the fund. He would like to put together an Request For Proposal (RFP) to send to engineering firms. This will determine how to move forward with this project. Sam thought that since this was voted on at Town Meeting, they were obligated to approve this request.

Ed thought that a public meeting would eventually be held to solicit public input about a feasibility study. A presentation would be held at a public meeting with the Select Board. Christine said she thought they were good to go; no vote was needed as they had already approved this at Town Meeting. She asked that it be the Select Board who make the ultimate choice in engineering firms as it was a contract between the firm and the Town. Ed agreed.

There was some discussion on possible routes and roads that would be taken into consideration. Quimby Road would require cooperation with the Town of Salisbury.

e. **Community Power Committee, Clyde Carson**

Clyde said that the Select Board agreed to be part of the NH Power Coalition. They were one of the original 10 towns that formed the coalition. One of its purposes is to become an aggregator for pulling power needs together and broker with other agencies to get the best electricity rates. They also help with all the paperwork (back room). They have proposed rules for community power to the utilities commission. The state house will approve the rules later in September. The Committee plans to bring a proposal to Town Meeting in March. His purpose is to alert the Select Board about the committee's process. He provided a timeline to the Select Board from present day until March. This includes a survey, which he welcomed those in attendance to take. So far they have 60-70 responses. Between now and the end of September, they will be working on their proposal. Following that, they must have two public hearings. Revisions will be made as necessary and then the Select Board has to review and accept the proposal. If that happens, it will be included in the warrant to ask voters to take part in the coalition's program.

Clyde said that the goal is to give residents a choice of who will supply their power. People can opt out of the program if they want. There are about 19 other communities in the coalition. Once the town makes the decision to move forward with the program, they will research which options people could choose from. Households will be reached out to directly via mailer and they would check off their preferred options. People would be able to choose whichever options they like.

Clyde said that they will have a representative from the coalition at the public hearings in October. Sam thought it sounded like a nice plan. New London, Webster, Portsmouth,

Nashua, Harrisville, Hanover, Walpole, etc. are also part of this program. There is a list available online for anyone who would like to see.

Ed Mical said rates are raised regularly for most electric companies. He wondered if the coalition would take this into consideration. Clyde said they will use a staggered approach for increases to try to maintain better rates. People's bills will show which portion goes to Eversource, and which is coming from the third party power company.

### III. Old Business

#### a. Thank-You to Fire and Police Department

Christine thanked the Fire and Police departments for the work they did last week to find the missing person in a safe way. It was a successful collaboration.

#### b. October Event for Warner Connects – Gear Swap

Sam said that the Highway Safety Committee looked at the Warner Community Center and determined it was not the appropriate size for the Gear Swap. He reached out to Lori Garret, Warner Connects and communicated this. She will brainstorm with her people to see how they will proceed. It is unfortunate that it was advertised as being held in that location. He asked Judy what the rate was to use the auditorium upstairs in the Town office building. Judy said it was free for non-profits. Sam wondered if perhaps this location could be used for gear to be dropped off and then the swap could be done outside on Saturday with the farmer's market. The group may also choose to use the elementary school parking lot instead. Sam would follow up with Lori on the location.

#### c. Economic Development Committee – Sidewalk Project

Sam said this discussion has come up again during discussions of the proposed workforce housing. His understanding is that the Town is still a recipient - or has been accepted as such - for the grant funds. How does the Select Board feel about him pursuing that project? He thinks, especially if the Exit 9 area housing development goes through, it is something they should do. They have put in the work and have been selected and granted up to \$800,000 to build a sidewalk. The Board heard from the public that community outreach was done poorly. Sam he could make contact with people who held that opinion and give them facts and details. Christine said the details, such as the width of the sidewalk, will not be known until the design stage of the project. Sam thought they would have an estimate. Christine cautioned against throwing about numbers; they will put themselves into a corner by doing that.

Sam said he would go door to door along W Main Street and tell people the Select Board is continuing the conversation of the grant. If people were friendly towards the idea, they could put markers out to show approximately where the edge of the road and the sidewalk might be. That would give folks a visual idea of what the sidewalk would look like.

Christine thought by doing this, Sam would create a lot of issues for himself. Just because the current center line of a road is in one area, doesn't mean that it won't be shifted later on. There is a lot of flexibility. People will expect the final project to be just the way they see the example. People need to be supportive of what the alternatives will be. She wondered why people won't just use the proposed rail trail for foot and bicycle traffic in that area? They wouldn't need a sidewalk any more if that goes through.

Sam said the first thing that should happen is that the Select Board members get on the same page – be in agreement that it is worth pursuing, that is the first question. There isn't

a lot of time between now and the next town meeting. He would wait until the next meeting when Lois would be at the table. Christine thought the idea to reach out to people personally was great. But if the people are not willing to have a conversation, she would not be for moving forward. They need to see if they can get everyone to come to the table.

d. **Contract with Anthony Mento, SMP Architecture, Regarding Warner Community Center (WCC)**

Christine thought Anthony should be contacted to find out what his workload is and what his plans are. It would be nice to give a report at Town Meeting about how the Select Board is addressing the issues and tenants at WCC. Judy said she understood that Diane had been in touch with Anthony.

Leases with almost everyone are in place and the others know that this is a discussion they will be involved with.

e. **CMA Engineers, Transfer Station**

Christine said she knows there is a contract but is not sure if payment has been made in full. They were supposed to come before the Select Board to explain the plan options. There is definitely an expectation that the Board is going to put forward a warrant to fund a Capital Reserve in anticipation of doing work at the Transfer Station. CMA needs to come talk with the Board. Sam added Tim Allen Director of Public Works and Varick Proper Transfer Station Foreman, need to come in at the same time.

**IV. Public Comment**

There was none.

**V. Consent Agenda**

**Motion by Sam to Approve as signed by the Warner Select Board:**

**Building permits for map 18 lot 023, map 10 lot 098, map 7 lot 029, map 12 lot 036, map 20 lot 018, map 3 lot 024: Notice of intent to cut on map 16 lot 068 for 8 of 8 acres, map 11, lot 19, 20 of 32.76 acres: Certification of yield taxes map 07 lot 064 for \$2,580.64: A request from the Transfer Station Facilities Capital Reserve Fund for \$1,312.67 for CMA engineers and \$8,479.43 from the Highway Road Construction Capital Reserve Fund for Moser Engineering.**

Christine said she would agree to all of the above except the payment to CMA. The town still needs to meet with them before they are provided with any further funding.

**A vote was called on the amended motion. The motion was approved.**

**VI. Manifest**

**Motion by Sam Bower and seconded by Christine Frost to authorize the select board to approve manifest and order the treasurer to sign accounts payable checks #6259 through #6279, dated 8/18/22 in the amount of \$31,364.19. Payroll checks #6280-6284 dated 8/23/22 with a net check and net deposit of \$72,572.34 which includes the monthly payment to KRSD of \$650,000. Payroll paper check #3014-#3026 and direct deposit #E00323 – #E00347 dated 8/25/22 and a net check amount of \$41,987.69**

Christine felt the amount for CMA included in the motion should be removed prior to taking a vote, per the motion on the Consent Agenda.

**The motion was amended to exclude check #6261 for \$1,312.67 - omitted as this was for CMA which is currently on hold.**

**A vote was called on the amended motion: All in favor. The motion passed.**

**VII. Meeting Minutes:**

This would be done at the next meeting.

The meeting adjourned at 9:01pm.

Respectfully submitted,

Kristy Heath, Recording Secretary  
Town of Warner