



# TOWN OF WARNER

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## Select Board Meeting DRAFT Minutes January 3, 2023

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

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

Chair Sam Bower opened the meeting at 6:30 p.m. and recognized the presence of fellow Board members Christine Frost and Lois Shea.

Also present: Planning Board Chairman Ben Frost; Police Chief Bill Chandler; Department of Public Works (DPW) Director Tim Allen; Tim Blagden of the Friends of the Concord-Lake Sunapee Rail Trail; Land Use Administrator Janice Luz; Board Administrator Judith Newman-Rogers; Town Administrator Diane Ricciardelli; and Recording Secretary Ray Carbone.

### **II. Appointments**

#### **a. None**

### **III. Old Business**

#### **a. 2023 Capital Budget and Improvement Program (CIP)**

Planning Board Chair Ben Frost began with quick review of the CIP, which is assembled by the Planning Board annually with an eye towards significant capital expenditures, estimated over the next six years. The Planning Board uses information from each Town department as well as input from various committees and boards.

He noted a few unusual issues: the Conservation Commission has not submitted any CIP form since it doesn't have any major expenditures in its future right now; Emergency Management Director Ed Mical asked that a line item be included in the CIP for the Kearsarge Mountain Road emergency access project, although there isn't an estimate cost available at this time; and the Select Board's CIP request for the proposed "pathway" project linking the downtown area to the commercial zone adjacent to Interstate 89's exit 9 is not included because the majority of the Planning Board voted to exclude it.

Ben Frost noted:

- The Assessing Department has included its annual figure for the Town property reassessment, which must be done every five years.
- The Select Board's request for funding work on the Town Hall's roof is "a little uncertain," he said, because it's unclear how the Board wants to move forward, i.e., with an estimated \$45,000-\$50,000 repairs project or a more significant cost for replacement.
- Town Clerk Michele Courser has indicated that the recent annual requests for funding that go into the Capital Reserve Fund (CRF) for Town record preservation should be ending in three years.
- The CIP request from Police Chief Bill Chandler has primarily to do with equipment management and replacement, particularly the Department's fleet of vehicles.
- DPW's CIP requests are divided into three areas: Bridges; Highways/Roads; and Highway Equipment. This year's figures are altered due to the highway construction loan that voters approved at the 2022 annual Town Meeting.
- The DPW's Transfer Station has two CRFs, and both are showing a balance.
- The Pillsbury Memorial Library has no CIP request. Librarian Nancy Ladd told the Planning Board that there is a sufficient amount of money in her CRFs for work that will be completed this year. Ben Frost noted that there is a discrepancy between the CRF balance and projected costs, but the Planning Board is using what Ladd presented.

Ben Frost said that, while putting together the CIP is always a difficult project, this year was particularly challenging. As a result, his Board is already discussing ideas about how to move the process along more quickly in the future.

Chair Bower thanked the Planning Board for its work and said the CIP is a valuable tool, not only for the Select Board but for other interested citizens.

Selectperson Christine Frost asked Ben Frost if he had any more specific information about the Conservation Commission or the Library's CIP issues. Ben Frost said that the Conservation Commission didn't appear before the Planning Board, and that Nancy Ladd's Library paperwork is usually very precise. Chair Bower noted that the Library's HVAC project ended up costing much less than what the Library Trustees estimated, so that may account for some of the discrepancy.

Selectperson Christine Frost also asked about the Transfer Station and the lack of a CIP request from Foreman Varick Proper.

DPW Director Tim Allen said Proper recently learned one of the facility's compactors might be repairable and is not as severely damaged as previously thought. But it would be helpful for the Transfer Station to have a long-range plan so the Town can consider making regular investments in the maintenance of the facility, he noted.

Chair Bower agreed there should be a line for regular equipment maintenance and repair for the facility. He said such an approach would likely be easily accepted by Town Meeting voters, as they currently accept similar annual costs in other departments.

Director Allen said that he would estimate an annual CIP request to be between \$25,000-\$50,000, based on previous years.

Selectperson Christine Frost said she didn't think it was a good idea to leave the Transfer Station's request line in the CIP blank. She also noted the consulting work that CMA Engineering has been doing regarding the facility; she noted it might be a harder figure to estimate at this time, but the Select Board knows it wants to do something about the Transfer Stations and Foreman Proper's concerns about the aging facility and equipment.

Ben Frost said the Planning Board did receive some information from Proper about tentative plans to improve the facility, which has not seen significant changes since it was created more than 30 years ago, but no figures were included. He agreed that it would be a good idea for the Transfer Station to have a long-range plan for the Planning Board to consider during its annual CIP deliberations.

Selectperson Shea noted that the voters at last year's annual Town Meeting approved an \$80,000 warrant article for the Transfer Station.

Selectperson Christine Frost asked if the Select Board should consider the Capital Budget at this meeting. (That includes separate warrant articles the Select Board may present at the annual Town Meeting.) Town Administrator Diane Ricciardelli said that discussion would include more than the possible Transfer Station support.

Selectperson Christine Frost noted the Contingency Fund and the request for funds for the Town's upcoming 250<sup>th</sup> anniversary. Board Administrator Judy Newman-Rogers said in the past, the Board has held a separate meeting to evaluate expenditures, funding requests, tax impact and made adjustments as the Board members saw fit. The Board held a conversation about the process of preparing financial information and Chair Bower asked that the Capital Budget review be put on the agenda for the next Select Board meeting.

Bower also said the Board should consider creating a warrant article to fund Transfer Station equipment costs, and find out if the 250<sup>th</sup> celebration can be paid for with American Rescue Fund Act (ARPA) funds. He asked that Transfer Station Foreman Proper be invited to attend the Board's next meeting.

#### **b. 2023 Proposed Operating Budget Review**

Town Administrator Ricciardelli said with the new information she's entered into the budget today, the 2023 estimated operating budget is 18.89% higher than the 2022 budget. She also said that the 2022 budget is coming in almost exactly at what was estimated.

Police Chief Bill Chandler clarified some information that the Board had discussed at an earlier meeting. He told the Board that the \$25,000 grant does need to be included in the Department's budget; if the grant is approved, that money will come back to the

Town on the revenue side. In addition, a \$3,800 grant for new vests is a 50/50 program, so that grant will refund half those costs to the Town.

Selectperson Christine Frost noted that some residents have asked why the Board okays annual pay raises for employees effective Jan. 1, when the voters don't actually consider the annual budget expenditures until the Town meeting in March. The Board discussed the issue. Town Administrator Ricciardelli said if voters decided against the increases, the Select Board would adjust the budget downwards by reducing other budget items; Town Meeting voters set the bottom line of the Operating Budget, but not individual line items. Chief Chandler said in the past, the Town had sometimes held back the money until after Town Meeting, but that's an issue apparently decided by individual Select Boards. After some discussion, Chair Bower suggested that this Select Board would likely keep the process as it's currently constructed.

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

##### **a. 2023 Holiday Schedule Approval**

**Selectperson Christine Frost made a motion to adopt the Town employees' holiday schedule as proposed; Selectperson Shea seconded. In a voice vote, the Board unanimously accepted the schedule.**

##### **b. N. Village Road Building Permit Review (Tree House)**

Board Administrator Newman-Rogers told the Board that after its Cease & Desist Order was issued, property owner Mike Carroll spoke with her at Town Hall. He said someone in Town Hall told him no building permit was required. She told him it is usually best to speak with Building Department personnel. Mr. Carroll said he is planning to discuss the question of a building permit with Building Inspector Tom Baye soon. Newman-Rogers said Mr. Carroll is currently working on getting a driveway permit and the Assessing Department is working with him to provide a 911 number for the address.

The owner told Newman-Rogers that he purchased this property for the purpose of building a home, but it's not economically feasible for him at this time. He's built the tree house to allow his stepchildren to spend some time on the land.

Chair Bower asked Newman-Rogers to let the Building Inspector know that the only issue that might add a requirement for a building permit would be the square footage of the tree house. Newman-Rogers said there may be a question regarding the unusual foundation, i.e., trees vs. cement.

DPW Director Allen confirmed that he's already been on the property.

## **V. Town Administrator Report**

Town Administrator Ricciardelli said that she has been working with resident Tim Blagden, who serves on the Board of Directors for the Friends of the Concord-Lake Sunapee Rail Trail on two grants that will need the Board's approval before moving forward. She invited Blagden to tell the Board about the grants.

Blagden said the first is a \$1.5 million federal grant that will build out a section of the regional trail from the end of Waterloo Road to the Barbara Annis Roundabout, including bridges over the Warner River and Stevens Brook. There is a \$300,000 "matching funds" requirement attached to the grant; the Rail Trail organization, which is a nonprofit organization, is already working on raising those matching funds.

The NH Department of Transportation (NH DOT), which is administering the grant, recently told Blagden that, because these are specifically federal highway funds, the Town is required to accept responsibility for the maintenance of the property; in addition, a fulltime Town employee who is licensed to serve as a Local Public Agency (LPA), will be required to oversee the ongoing work. (Ricciardelli has this certification.)

The Rail Trail organization is working to raise funds for both maintenance and insurance on the trail, Blagden told the Board, but it appears that the newly learned legal requirements mean the "Town is being dragged into this." Blagden is scheduled to meet with DOT officials on Jan. 11 and, at that time he's hoping to have more clarification about the requirements regarding the Town's role.

Blagden also noted that, given the brevity of time before the upcoming annual Town Meeting, he's expecting that the project will not actually need approval until the 2024 Town Meeting.

After a brief discussion, the Board thanked Blagden and the Rail Trail organization for its efforts but indicated that some issues need to be clarified, either at the Jan. 11 meeting with DOT or afterwards, before the Town considers accepting the grant. For instance, can the Town enter into a valid agreement with the Rail Trail, so that the nonprofit organization is required, in perpetuity, to look after the area's maintenance? And what would be the estimated annual costs of maintaining the trail? Finally, is there a "deadline" date for the Town to accept the grant?

Blagden said he's reached out to others in Town that may be impacted by this project, including the Warner River Local Advisory Committee and the group that's planning for the Town's 250<sup>th</sup> anniversary celebration. Blagden said the project would likely take about a year to design and plan, so actual constructing would likely take a second year.

The second grant project is an invitation from the Friends of the Rail Trail to the Town to join the group in applying for a Congestion Mitigation and Air Quality federal grant that would develop the Trail from the area just south of Interstate 89's exit 8 up to a lot just east of the Fire Department building on Rte. 103. This is a \$3 million project that would fund a 1.1-mile stretch of the Trail in the Interstate 89 medium.

The grant requires some technical information, but Blagden said he has some of that information from an earlier project he did with some Dartmouth College students. However, the Friends would also need to raise the \$600,000 needed in matching funds for the application, which is highly unlikely for this year since the application deadline is Jan. 6, just three days from today.

Blagden is asking that the Town apply for the grant, although it's unlikely to win it at this time – he called it a “super long-shot” – so that a future application could be viewed more favorably by government officials. (The next time the program will accept application is more than three years away.)

Blagden said he discussed this grant with Town Administrator Ricciardelli shortly after he saw the opportunity open up, and he is willing to do all the work for the grant application.

Both Selectperson Christine Frost and Shea indicated they were uncomfortable about having the Town apply for the grant when the deadline was so short; they wouldn't have time to consider its impact.

Chair Bower said even if the Town won the grant, it would not be obligated to move forward with the program; in fact, a Town Meeting vote would be needed. There would be several years for the Town to research and consider the grant before it would be obligated to accept the funds and move forward with the project.

Board members asked Blagden why he hadn't brought the grant application before them earlier. Blagden apologized, but also noted that he and some State and Town officials – including members of the NH DOT, the Central New Hampshire Regional Planning Commission, the Select Board and the Conservation Commission – walked this proposed portion of the trail back in 2012, with the idea that, if officials offered some encouragement, the Friends could put the idea aside for a few years. At that time, the response indicated that the development could be possible if a good engineering plan was in place.

After further discussion,

**Chair Bower made a motion to have the Town apply for the grant, with the aid and support of Tim Blagden and the Friends of the Concord-Lake Sunapee Rail Trail; Selectperson Christine Frost seconded. In a voice vote, the Board unanimously approved the motion.**

Selectperson Christine Frost thanked Blagden for his ongoing work with the Rail Trail.

Finally, Blagden reported he had recently reached out to Police Chief Bill Chandler to talk about \$3500 that was in a Town Trust Fund that might be used to procure pedal bicycles and balance bicycles for kindergarteners and first-graders at the Simonds School. Blagden then spoke to School Principal Dr. Tim Stokes and relevant administration staff of the Kearsarge Regional School District, and all approved of the idea.

Blagden said the school will get 20 pedal bicycles and balance bicycles, so that all students can learn how to bike at a young age in a Physical Education environment. (Other elementary schools in the district expressed interest so the nonprofit Central New Hampshire Bike Coalition is working with the NH Attorney General's office to craft an agreement that will provide balance and pedal bikes throughout the District.)

The Board applauded Bladgen's idea, and thanked him for his initiative.

Returning to her report, Administrator Ricciardelli said that she's working with Finance Director Clyde Carson and should have the new revenue estimates ready for the Board's next meeting. She said that all employee insurance-related forms have been completed.

The Town has received the Energy Audit for the Warner Community Center (WCC) from the Resilient Buildings Group.

Ricciardelli said she's working with Bob Blake on determining the property tax rate for the new year.

## **VI. Select Board Other Business**

Chair Bower said he and resident Anthony Mentos of SMP Architecture, who has been assisting the Town on updating the WCC, will be meeting on Friday with representatives of the individual organizations renting space in the building.

Bower said he received a first draft of the Select Board's report for the Annual Town Report from Selectperson Shea. He said it was "excellent" and only needs some minor tweaking.

Selectperson Shea said she's still working on research regarding the dedication of the Annual Report. She also reported that Rebecca Courser of the Warner Historical Society will be meeting with Board members on Saturday morning to participate in the group's visit to two local barns; the owners have applied for Discretionary Preservation Easements.

Selectperson Christine Frost said she reviewed the asked for information that Board Administrator Newman-Rogers has put together to guide her in processing board's and committee's meetings and activities. Selectperson Frost asked Newman-Rogers to send it to the Town boards and committee leaders to insure that all are utilizing this way of keeping residents informed about the Town's governmental activities.

She also inquired about the employee survey the Board had discussed previously. Selectperson Shea said she was working on a form as well as a letter that could be sent out to all Town employees. The Board also discussed the idea of making the survey available online.

Finally, Selectperson Frost said the Corridor Committee she has been chairing is planning to give a public presentation of the results of its work at the Select Board's Jan. 31 meeting.

**VII. Public Comment**

None.

**VIII. Consent Agenda**

**IX. Manifest**

**X. Meeting Minutes: 11/9/22, 11/14/22, 12/6/22**

**XI. Adjourn**