



TOWN OF WARNER

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

Select Board Chair Seidel, Chair
Faith Minton
Allan N Brown
selectboard@warnernh.gov
Diane Ricciardelli,
Town Administrator
administrator@warnernh.gov.

Selectboard Meeting **DRAFT** Minutes September 5, 2023 6:30 pm Lower Meeting Room Warner Town Hall 5 E Main St

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

Selectboard Chair Harry Seidel opened the meeting and called the role:

Present: Chair Seidel, Selectperson Faith Minton, Selectperson Allan N. Brown, Town Administrator Diane Ricciardelli, Managing ZOOM, Janice Loz

Also Present: Members of the public.

II. Minutes: 8/11, 8/15, 8/22, 8/25

Motion by Selectperson Minton to approve minutes of Aug 11. Selectperson Brown did not vote on minutes as he was not here. Chair Seidel second. All in favor. Approved 2-0.

August 15. Chair Seidel commented on page 3, discussing Resilient Housing Audit, and it says 25k for one floor of LED lighting. I question that. I think it is the entire building. We will have to verify that.

Motion to approve minutes by Selectboard Minton. All in favor. Approved 2-0

August 22 minutes. **Motion to approve minutes by Selectperson Minton. Second by Harry. All in favor. Approved 2-0**

August 25 minutes. Correct on page 2, "its was too fast" and "he brings a pragmatic approach."
On page 3. Any other business. Add something that says the Tuesday meetings are zoomed.

Motion to approve by Selectperson Minton. Second by Chair Seidel. Approved 2-0.

III. Appointments

a. Tim Blagden, Concord Lake Sunapee Rail Trail (CLSRT)

Tim Blagden, representing the Concord Lake Sunapee Rail Trail (CLSRT), is here to speak about asking the town to sign a sub agreement between the friends of the Concord Lake Sunapee Rail Trail and the Town of Warner. Through unexpected news, the Town is the official recipient of a grant instead of the nonprofit organization. In Spring 2023 the nonprofit raised a matching \$300,000 funds and would like to enter into an agreement with the Town of Warner. This sub agreement will provide working capital needed to help manage the grant and maintain the infrastructure entities. Chair Seidel clarifies to the applicant and the Board, that tonight we are asked to sign a contract between the Town of Warner and the Concord Lake Sunapee Rail trail, this will get the process started.

Selectperson Brown emphasizes that the project is already funded, and then Tim Blagden finishes the statement saying that the money for this project is already ready. It just comes down to whether we take the money and create this project.

Selectperson Brown agrees with what Tim Blagden is saying and adds that the Town of Warner tax dollars are not responsible for maintaining those trails. Tim Blagden says it is the friends of the Concord Lake Sunapee Rail Trail that would step in front of the obligation of the NHDOT. Tim Blagden says as long as the Concord Lake Sunapee Rail Trail nonprofit exists, they will take care of the maintenance of this project.

Selectperson Minton asks what would occur if this nonprofit doesn't exist, Tim Blagden responds that there are other organizations within NH that would see value in maintaining this project.

Selectperson Brown asks how many easements are donated, and Tim Blagden says there are three easements donated to this project.

Selectperson Minton acknowledges correspondence received and that it is important to note 150 non-residents and residents of Warner in favor of this project.

Tim Blagden says to the Board that there is additional funding that comes in, that is in addition to the already established funds. The Concord Lake Sunapee Rail Trail constantly applies for grants to fund this project.

Chair Seidel also expresses the Regional Chamber of Commerce is supporting this project in an email from Dan Watts. Tim Blagden mentions that this project is only based on land that is donated to this project, and the project does not come after people for their land.

Chair Seidel opens the comments to the public. Martha Mical (resident) raises concern about a Town Meeting before the official construction of the project. However, the Board mentions that it is unlikely for the construction to begin right away, and we should have plenty of time for a Town Meeting to commence.

Selectperson Brown mentions how there is no Tax dollar implication with this project and sees that a Town Meeting might not be necessary.

Tim Blagden responded that Friends of the Rail trail raised \$300,000 which pays the bill, and then the government reimburses 80%. Selectperson Brown adjusts Harry's statement saying it is like giving someone a 100-dollar bill and getting 80 back.

Resident Mike Brown is in support of the rail trail and states how the trails have been an economic generator of the towns that they are held within. With many benefits both environmental and economic, and the public clearly shows support, and as a fellow Warner resident Mike supports the project.

Selectperson Brown asks how this money for this project gets transferred to the fund and how are checks written to pay for this project. Jim Sherman, recommends opening an account at Sugar River Bank in order to organize the funds for this project. Chair Seidel agrees with this thought process.

Liz a member of the audience, asks how this money affects the budget, however Chair Seidel clarifies, with Dianes guidance, that it will not be part of the operating budget.

John Leavitt has initial concerns about the Town meeting and worries about this project going through tonight without a Town Meeting and hearing more from the public. His second concern is regarding the budget and how it must be approved by the town. He believes that there are multiple logistics that must be worked out before moving this project forward.

Selectperson Minton highlights that there is a lot to this process, and the Select Board approval is just one step of the project. Chair Seidel says that tonight is just for deciding if we accept the process and initial steps of the project and not necessarily accept the complete project.

*(unclear who is speaking in the audience) explains the benefits of a Town meeting, and how the thought process of this project comes to full hand. She also explains how a Town meeting is usually held after an initial conversation of accepting a project, which has not happened yet.

Sara is wondering about the history of previous towns on how they dealt with the rail trails project before.

Tim Blagden talks about the history of the rail trails project from the beginning, how it started with the NHDOT and other state government organizations. Ending with the nonprofit and how it asks for donations for the rail trail instead. Stating how previous land has been donated from areas from examples in both Concord and Hopkinton New Hampshire.

Mary expresses how the rail trails that this group takes care of, already established, are beautiful and very well maintained. She is very supportive of this group wanting to expand the rail trail through Warner.

Charlie Albano says from an economic point of view that this rail trail has a vast amount of benefits. From a more personal lens he has used these trails and is in support of this project.

*(Unidentified audience member) expressed how the rail trail supports community development in a point of non-highway access to the Town of Warner. Supporting this project.

*(Unidentified audience member) strongly supports this project and emphasis how it is already funded. He also mentions the health benefits of this project as it encourages people to get out and be outside.

*(Unidentified audience member) states how the land has been donated to this project and there is overwhelming support for this project. He mentions how It is already funded and needs to go through. This opportunity to help support locals and nonresidents to be outdoors.

*(Unidentified audience member) supports this project and helps drive health and wellness for the younger generation.

Leonard supports this project.

Mark Davy voices this support of the project.

Karen Coyne (on zoom) worries how the agenda mentions appointments and not a discussion of this project. Secondly regarding the meeting minutes of March, those votes and statues must be upheld, even though we have a different board today.

Selectperson Brown asks John Leavitt why a Town meeting must occur if there are no tax dollars being used. John responds that money is going through the town and going to be using special funds from a particular account. Therefore, a Town meeting must be held because of these funds going through the town. John Leavitt expresses the conversation of the March meeting with the vote of the Town meeting and its approval.

Barbara agrees with John Leavitt's statements and reads aloud the minutes he is referring to. Highlighting how this contract is not supposed to be signed until a town hall meeting is done.

Derek Lick, Attorney, said someone at the town needed to be tasked for this project. There is no Warner land or tax dollars being used for this project. The goal now is to set up an escrow account and to appoint someone to manage this project initial conversations. It is important to note that the NHDOT did not require the Town of Warner to involve a Town Meeting discussion, and it is just for the appointment of a representative to start the initial conversation.

Karen Coyne makes additional comments, saying that the project requires a full-time town employee to administer this project, which is costing the town money and that requires the town public to have a voice in the decision. She also believes that the 2022 discussion was to go ahead and apply for the grant.

Barb Marty adds to the conversation, saying that once they sign to accept these funds, the project is then pushed forward. Worrying that this eliminates the potential for future discussions.

Chair Seidel rebuts that the town involvement is part of the design process, and that this project fosters health habits and socioeconomic growth, with overwhelming support.

Selectperson Minton makes a motion to vote to sign the agreement. Selectperson Brown seconds. Discussion: None. Voice Vote Tally: 3-0. Motion Approved.

IV. Old Business

a. Highway Road Money

Chair Seidel suggests a motion to move the Highway Road monies to the NHPDIP, that earns around 5% instead of .05% at Sugar River.

Selectperson Brown asks how the money is protected? Clyde addresses how it is protected, and Bob Blake has said that the money would be protected if the account is moved. Diane mentions that Selectperson Brown could have a discussion with Bob Blake who can answer questions and she will send the notes from a previous meeting that explains the NHPDIP to Selectperson Brown.

Selectperson Brown makes the motion to move the highway funds into the NHPDIP, pending confirmation that it is FDIC insured. Selectperson Minton seconds the motion. Discussion: None. Voice Vote Tally: 3-0. Motion Approved. (see public comment, below, for the amended motion.)

b. Warner Community Center (previously known as CAP) Building

Selectperson Brown mentions that there are numerous safety concerns for this building, lightbulbs replaced, sealed windows, fire signs, bathroom facets, door handles, and exit routes. Chair Seidel mentions there might be potential fire code violations to consider too. Selectperson Brown believes that we need to have an exact dollar amount with everything that needs to be fixed. Then the Town can decide if the Town of Warner should continue to be landlords of this building.

Selectperson Minton mentions that Community Action Program left a while ago and it left gaps in the care of that building.

Selectperson Brown believes that the best thing for the Town to do is to put that building on the market and let another buyer deal with the complications that come from being a landlord.

Diane adds that in addition to the maintenance dollars in the operating budget, an additional \$17,800 of ARPA funds have been assigned to the improvement of the building.

Chair Seidel states how he has a difference of opinion and sees the potential in the building. How it is of historical significance and how it needs to be fixed. He recognizes that the Town of Warner does not have the money to fix this building, and how this building can serve the public. Selectperson Minton recognizes both Chair Seidel and Allan's point of view on the future of this building. However, Selectperson Minton believes the public should also have an opinion on what to do with this building. She understands that many aspects of the building need to be fixed but it is important to get a solid dollar figure to better understand the degree of financial funds required to fix the building.

Rebecca Courser adds to the conversation through Zoom that this building has served child and senior citizens throughout the years, and it would be a good idea for the Selectboard to discuss options and find out the price implications of fixing the building.

Karen Coyne wonders if volunteers can help fix the building. The Board believes that this is a good idea to utilize volunteers, Selectperson Brown believes that volunteers are covered under their insurance.

Chair Seidel and Selectperson Minton mention that there is a rough number of \$150,000 to fix most of the smaller issues of the building, however this number does not address the ADA regulations.

Diane mentions that the Department of Labor does spot inspections (without notice) and the State Fire Marshal will review the building with the Fire Chief. Any violations have to be fixed and are not optional.

Chair Seidel proposes that there needs to be a fixed number to fix all the issues that are essential to the safety of the building.

Janice Loz asks the Board if they would ever consider creating a committee to evaluate the building and leverage the voices of the public. Chair Seidel mentions that the Economic Development Committee does this already. They would like to bring their plans to the town, however, the worry is about the cost inferences of these plans.

Selectperson Minton makes the motion, to fix the front steps, doorhandles, facet, locksets, evacuate signage, and to not exceed 1,500 in funds. Chair Seidel seconds the motion. Discussion: None. Voice Vote Tally: 3-0. Motion Approved.

V. New Business

a. Central NH Regional Planning Commission Volunteer Appointment – Tim Blagden

Chair Seidel makes a motion to appoint Tim Blagden for Central NH Regional Planning Commission Volunteer. Selectperson Minton seconds the motion. Discussion: None. Voice Vote: 3-0.

(note: following this meeting, the Town was informed that Ben Frost did not resign from CNHRPC (only resigned from the Warner Planning Board). Thus, there is no opening. Tim Blagden's appointment is voided.)

b. Selectboard Member Representatives to Town Boards and Committees

Selectperson Minton will cover Chair Seidel as representative for the Planning Board meeting on September 11, 2023.

Selectperson Minton volunteered to be the Selectboard Member Representative for the Mink Hill Recreation Study, Warner Municipal Records Committee, and Parks and Recreations.

Selectperson Brown will be the Selectboard Member representative for the Agricultural Commission, Road Committee, and the Budget Committee. Chair Seidel will be the Selectboard Member representative for the Energy Committee, Highway Safety, and Planning Board.

VI. Public Comment

a. Pertaining to the NHPDIP funds being protected versus not protected and who can verify that. A member of the audience cautions the selectboard that just because you trust someone does not mean you should blindly follow them. It is important to make sure you double-check the facts.

John Leavitt questions the motion to move the money based on FDIC secured. He states how if the funds are not secured that way, then the motion won't be applicable.

Selectperson Minton to amend the previous Selectboard Motion, to make sure we find out the proper verbiage for the insurance term. Chair Seidel adds to the amended motion to verify that the money is in fact protected municipal money.

Chair Seidel makes a motion to verify funds are properly insured. Seconded by Selectperson Minton Voice. All in Favor 3-0.

b. John also warns the Board of Selectman that with Warner Connects it needs to be very careful of its funds and how money is spent within that building. The entire Board of Selectmen agrees with this statement.

Rebecca Courser reminds the board to keep the professionalism. She also adds that she thinks the Board should consider a petition for five Selectmen that could spread the work.

Selectperson Minton, this spreads the work, but the Town Administrator helps as a liaison between the Board to avoid legal problems of having a smaller board. Chair Seidel mentions how the addition of more Selectmen can be beneficial because it might avoid a quorum. Selectperson Brown mentions that this is easier said than done.

VII. Administrator's Report

Diane mentions that they are still working on the 91A requests. Next step, will contact the Concord Monitor to come in and review first half of the requests. Then return later in the month to review the second half of the requests.

VIII. Select Board Other Business

a. Warner Community Center Tour

Regarding the lease, Selectperson Brown had concerns of changes in the Warner Connects lease that is not signed. He asked how the rent was reduced from \$20k to \$4,800. Diane explained that each tenant received a lease based on \$9.71 per square foot. Boys and Girls Club and Community Action Program (CAP) paid the listed amount. GearUp and Warner Connects asked the board for reduced rent, and the Selectboard reduced the rent. Allan commented where in life people can ask for a reduced rent as he has rented many places but never had the opportunity to ask for a reduction.

Erika Carr from GearUp said that their rent went from \$400 per year (in 2022-2023) to \$18,400 at the \$9.71 per square foot rate and they asked the Selectboard for a reduced rent.

Selectperson Minton inquired if Erika was accessing the EFA (Education Fund Account) that is providing up to \$3,000 per student, tax dollars provided to families. Erika said that if you register with that organization, then you are no longer a homeschooler, you are now under that organization, the EFA. Erika said that she and many homeschool families did not want to do that because it is a privacy issue. For Erika, she is homeschooling and does not want to be registered under a government agency. Selectperson Minton reiterated that it is state tax dollars being made available to families to pay for homeschooling. The Selectboard needs to be accountable to the residents and the Budget Committee, and finding ways to pay for the building.

Chair Seidel makes a motion to present this contract for signing. Selectperson Brown seconded the motion. Discussion: None. Voice Vote Tally: 3-0. Motion Approved.

IX. Consent Agenda

a. Assessing:

i. Abatement on over charge of Timber Tax - 22-463-11T

ii. 3 Doomage for Timber Projects - 22-463-08T, 22-463-10T, 22-463-20T

- iii. Solar Exemptions - Values attached - need signatures
- iv. Update on MS-1

X. Manifest

Motion for the Selectboard to approve the following previously signed manifests:

- Accounts Payable Check numbers 7517 through 7534, dated 8/30/2023, in the amount of \$8,224.37.
- Accounts Payable check numbers 7488 through 7489, dated 8/8/2023, in the amount of \$54,607.33
- Bi-weekly payroll checks numbers 3428 through 3435 and direct deposit checks numbers E01073 through E01102 dated 9/7/2023 for a new payroll of \$42,670.24.

XI. Non-Public Session (If needed)

XII. Adjourn

Respectfully submitted,

Molly Loz

Edits: Diane Ricciardelli, Town Administrator

Judith A. Newman-Rogers, Selectboard Admin Asst.