

# Warner Town Clerk

PO Box 265  
5 East Main Street  
Warner New Hampshire 03278  
Fax: (603) 456-3576

Office Hours: Mon, Wed, Thurs  
8:00 – 3:00 PM  
Tues Eve - 8:00 – 6:00 PM  
Phone: (603) 456-2298 Ext-5 or 6

Judith A. Newman-Rogers,  
Town Clerk  
Michele Courser, Deputy  
email: townclerk@warner.nh.us

## WARNER ANNUAL TOWN MEETING - MARCH 15, 2017

### ARTICLE 1

#### To choose Town Officers for the ensuing year:

##### **Almoner of the Foster & Currier Fund 1 for 1 Year**

442 Jere Henley

##### **Almoner of the Foster & Currier Fund 1 for 3 Years**

471 Penny Sue Courser

##### **Budget Committee 2 for 3 Years**

240 Martha Bodnarik\*

205 John Leavitt

340 David Minton\*

##### **Chandler Reservation 1 for 4 Years**

427 Jonathan France

##### **Selectman 1 for 3 Years**

356 Kimberley Edelman\*

108 Paul Hagenow

##### **Trustee of Pillsbury Library 3 for 3 Years**

376 David Bates

350 Ralph Parsons

361 Judith Pellettieri

##### **Trustee of Pillsbury Library 1 for 1 Year**

8 Sara McNeil \*(Write-In)

##### **Trustee of Town Cemeteries 1 for 3 Years**

444 Kenneth W. Cogswell

##### **Trustee of Trust Funds 1 for 3 Years**

436 David Karrick

NOTE: \* = Winner in contested race

### ARTICLE 2

#### **ZONING QUESTION: YES: 353 NO: 91**

Are you in favor of the adoption of Amendment #1 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment #1: Amend **Article XVII Section F Time Limit**, by changing the existing wording:

**F. Time Limit:** Approvals granted by the Board for Variance or Special Exception are valid for a two-year period unless vested

*to the following wording:*

##### **F. Special Exception or Variance Time Limits:**

**a.** A Special Exception or Variance approved by the Board will expire after two years from the date of the Board's decision if the use or construction authorized by the Special Exception or Variance has not commenced. This two-year limit may be extended by the Board for good cause. No Special Exception or Variance will expire until one year after the resolution of an application to the Planning Board filed in reliance on the Special Exception or Variance.

**b.** If the use or construction authorized by a Special Exception or Variance is abandoned for at least two years, then the Special Exception or Variance cannot be reestablished without a new application and approval by the Board.

### ARTICLE 3

#### **ZONING QUESTION: YES - 329 NO - 118**

Are you in favor of the adoption of Amendment #2 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amendment #2: Amend **Table 1 Use Regulations under Retail and Services Numbers 19, 19-a and 20 Article XVII** by changing the existing wording:

USES	R-1	R-2	R-3	B-1	C-1	OC-1	INT	OR
19. Other amusement and recreation service, outdoor; including camping grounds.		S	S			S		S
19-a. Other amusement and recreation service, outdoor; excluding camping groups ( <i>Amended March 2015</i> )					S			
20. Other amusement and recreation service, indoor				S	S		S	

*To the following wording:*

USES	R-1	R-2	R-3	B-1	C-1	OC-1	INT	OR
19. Other amusement and recreation service, <b>event venue and related function services</b> , outdoor; including camping grounds.		S	S			S		S
19-a. Other amusement and recreation service, <b>event venue and related function services</b> , outdoor; excluding camping groups ( <i>Amended March 2015</i> )					S			
20. Other amusement and recreation service, <b>event venue and related function services</b> indoor				S	S		S	

#### ARTICLE 4

#### **ZONING QUESTION: YES - 317 NO - 148**

Are you in favor of the adoption of Amendment #3 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amendment #3: Amend **Article III Definitions**, by changing the definition as currently worded:

“**Accessory Apartment**” means a separate complete housekeeping unit that is contained within, attached to a single family dwelling, or within an accessory building, in which the title is inseparable from the primary dwelling.  
*to the following wording per RSA 674:71:*

“**Accessory Apartment**” means a residential living unit that is appurtenant to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies. An accessory dwelling unit may be within or attached to the principal dwelling unit.

**and**, amend **Article XIV-B Accessory Apartment item 1**, by changing the existing wording:

1. The accessory apartment shall be clearly incidental to the primary use of the property. The apartment shall be a completely separate housekeeping unit that can be isolated from the primary dwelling unit.

*to the following wording:*

The accessory apartment shall be clearly incidental to the primary use of the property. The apartment shall be a completely separate housekeeping unit that can be isolated from the primary dwelling unit **but shall have an interior door connecting it to the primary dwelling unit.**

**KEARSARGE REGIONAL SCHOOL DISTRICT**

**QUESTION 1:**     **A. \$42,492,091     182**  
                  **B. \$42,492,091     52**  
                  **C. \$42,142,091     244\***

**QUESTION 2:**     **YES: 339     NO: 150**  
Vote to Approve the cost item in the Collective Bargaining Agreement between KRSB and the Para Educators

Year	Estimated Increase
2017-18	\$57,686
2018-2019	\$78,354
2019-20	\$71,079

and further raise \$57,686 for the 2017-18 fiscal year.

**QUESTION 3:**     **YES: 366     NO: 117**  
Vote to raise up to \$25,000 to be placed in Special Education Expendable Trust Fund (est 2008) from unassigned fund balance on hand June 30, 2017

**QUESTION 4:**     **YES: 371     NO: 117**  
Vote to raise up to \$50,000 to be placed in the School Buildings Maintenance Fund for the repair, unanticipated utility cost and maintaining school buildings and equipment funded from unassigned fund balance remaining June 30, 2017.

**Moderator:** 448     Brackett L. Scheffy  
**School Board Member 1 for 3 Years**     **Municipal Budget Committee 1 for 3 years**  
163     Joseph Mendola     394     Jonathan Sevigny  
348     Faith Minton\*

**ADJOURN TO WEDNESDAY MARCH 15, 2017**  
**@ 7:00 PM WARNER TOWN HALL**

Moderator Ray Martin opened the Warner Annual Town Meeting at 7:00 PM, Wednesday, March 15, 2017. He introduced himself, asked the audience to stand for the Pledge of Allegiance, he announced results of the previous day’s voting (reported at the beginning of these minutes) and asked winning candidates to go to the Town Clerk’s Office to take their Oath of Office to be sworn in.

Moderator said results would be released from the school district when totals from all the towns in the Kearsarge Regional School District were tallied.

He said voters totaled 511, 22% of Warner’s 2292 registered voters, with the majority of voters arriving in the morning, polls closed at 7 PM and ballot counting was rescheduled due to the weather until Wednesday morning, March 16, 2017.

Moderator announced the results of the survey that asked voters if they would like to change the day of the week the business session of the Annual Town Meeting is held - 257 – YES, In Favor of Saturday, 101 – NO, Against changing.

Chairman Clyde Carson announced the retirement of Selectman Alan Brown, congratulated and welcomed Kimberley Edelmann to the Warner Selectboard, announced the dedication of the Town Report to Phillip Rogers, said the survey conducted yesterday may change the day of the 2018 Town Meeting, the Town's newest fire engine had been involved in a rollover, no one was hurt and the truck will be replaced or repaired. Selectman Carson proceeded to present a powerpoint presentation of 2016 Town Highlights. (on file)

Moderator explained the meeting rules.

**ARTICLE 5**  
**AMENDED AND PASSED**  
**YES – 270    NO – 44**

**To see if the town will vote to raise and appropriate the sum of \$338,530.00 (Three Hundred Thirty Eight Thousand Five Hundred Thirty Dollars) to construct a solar panel array on town land near the transfer station, of this amount \$64,935 (Sixty Four Thousand Nine Hundred Thirty Five Dollars) to come as a rebate from the NH Public Utilities Commission and further, to authorize the issuance of not more than \$273,595 (Two Hundred Seventy Three Thousand Five Hundred Ninety Five Dollars) of bonds or notes, which includes the sum of \$10,000 for the first year's bond payment, in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon.**

**ORIGINAL ARTICLE 5:**

**To see if the town will vote to raise and appropriate the sum of \$328,530.00 (Three Hundred Twenty Eight Thousand Five Hundred Thirty Dollars) to construct a solar panel array on town land near the transfer station, of this amount \$64,935 (Sixty Four Thousand Nine Hundred Thirty Five Dollars) to come as a rebate from the NH Public Utilities Commission and further, to authorize the issuance of not more than \$263,595 (Two Hundred Sixty Three Thousand Five Hundred Ninety Five Dollars) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon; further, to raise and appropriate the sum of \$10,000 for the first year's bond payment. (Recommended by the Board of Selectmen, Recommended by the Budget Committee 4-2, 1 Abstained) (2/3 ballot vote required.)**

Moderator read the Article.    Motion made to Move the Article.    Motion Seconded.

Moderator said 2/3 Majority Vote needed to pass Article 5 and voting would remain open for 1 hour.

Selectman John Dabuliewicz was asked to address Article 5.

**Motion by Selectman John Dabuliewicz to Amend Article 5:**

**To see if the town will vote to raise and appropriate the sum of \$338,530.00 (Three Hundred Thirty Eight Thousand Five Hundred Thirty Dollars) to construct a solar panel array on town land near the transfer station, of this amount \$64,935 (Sixty Four Thousand Nine Hundred Thirty Five Dollars) to come as a rebate from the NH Public Utilities Commission and further, to authorize the issuance of not more than \$273,595 (Two Hundred Seventy Three Thousand Five Hundred Ninety Five Dollars) of bonds or notes, which includes the sum of \$10,000 for the first year's bond payment, in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon.**

**Motion Seconded**

Selectman Dabuliewicz explained the proposed Amendment was necessary to correct the wording to increase the project total by \$10,000 and include the first years payment of \$10,000 in the loan or bond amount. Brief discussion followed.

Moderator read the Amendment to Article 5 and called for a Vote on the Motion to Amend Article 5.

**Voice Vote. Ayes in the Majority.**

**Motion to Amend Article 5 Passed.**

Discussion followed.

**Motion by James Gaffney to Amend Amended Article 5:**

**Create an account and any and all revenue that comes in, similar payments from Eversource shall go into this fund and the sole purpose of the fund shall be to pay down the principal associated with this loan, the only other use the funds may be used for are administrator fees associated with this account. Upon the satisfaction of this bond/loan any revenue that comes in as a result of the solar array shall go to paying down the future loan associated with the fire house.**

**Second.**

Selectman Dabuliewicz explained research had been done, it was a large accounting task to accomplish the request and revenue goes into the Town General Fund.

Discussion followed.

**Motion by Rebecca Courser to Move the Question on the Amendment to Amended Article 5.**

Two speakers waiting to respond prior to the Motion were recognized by Moderator to speak.

**Voice Vote to Move the Question on the Amendment to Amended Article 5.**

**Ayes in the Majority.**

**Motion Passed to Move the Question.**

**Voice Vote on the Amendment to Amended Article 5.  
Majority in the Negative.  
Amendment Failed.**

Discussion continued.

**Motion to Move the Question on Amended Article 5.**  
Hearing no further questions, Moderator called for a Vote.

**Voice Vote to Move the Question on Amended Article 5.  
Ayes in the Majority.  
Motion Passed to Move the Question.**

**To see if the town will vote to raise and appropriate the sum of \$338,530.00 (Three Hundred Thirty Eight Thousand Five Hundred Thirty Dollars) to construct a solar panel array on town land near the transfer station, of this amount \$64,935 (Sixty Four Thousand Nine Hundred Thirty Five Dollars) to come as a rebate from the NH Public Utilities Commission and further, to authorize the issuance of not more than \$273,595 (Two Hundred Seventy Three Thousand Five Hundred Ninety Five Dollars) of bonds or notes, which includes the sum of \$10,000 for the first year's bond payment, in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon.**

Moderator stated that the time for ballot voting on Amended Article 5 would remain open until 9:15 PM, 1 hour and 2/3 Majority was needed to Pass the Article. He explained the yellow paper ballots from the ballot packet would be used, a "YES" Vote in Favor and "NO" was a Vote Against.

**ARTICLE 6  
PASSED**

**Shall the Town vote to raise and appropriate the sum of \$3,070,486 (Three Million, Seventy Thousand, Four Hundred Eighty Six Dollars) as the 2017 Operating Budget for general municipal operations? This amount does not include appropriations contained in special and individual warrant articles addressed separately. (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 5-2). (Majority vote required.)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Kimberley Edelmann, Budget Co-chairman, presented and explained a slide show of Town financial data using graphs and charts showing 2016 Operating Budget, Expenditures, 2017 Capital Budget, Estimated Revenue and 12 years of Tax Rates. (presentation on file with this report)

Discussion followed.

Hearing no further questions, Moderator called for a Vote.

**Voice Vote on Article 6. Ayes in the Majority. Article 6 Passed**

**Motion by Martha Mical: To Move Article 10 up to be heard next, followed by Article 23.  
Second. Voice Vote. Motion Passed.**

**ARTICLE 10**

**PASSED YES - 159 NO - 48**

**Shall the Town vote to raise and appropriate the sum of \$182,000 (One Hundred Eighty Two Thousand Dollars) to be added to the previously established New Fire Station Construction Capital Reserve Fund? Of this amount \$82,000 (Eighty Two Thousand Dollars) to come from the unassigned fund balance in the General Fund and the balance amount of \$100,000 (One Hundred Thousand Dollars) to be raised through taxation. (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 6-0, 1 Abstained). (Majority vote required.)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Out going Selectman, Alan Brown opened the discussion with a brief history of the New Fire Station Committee 2016 activity.

Discussion followed.

**Motion made to Move the Question. Voice Vote. Ayes in the Majority. Motion Passed.**

**Motion by Martha Mical for a paper ballot. Request supported by 5 Voters.**

Moderator read Article 10, stating that the green paper ballot would be used, "YES" was a Vote in Favor of Article 10 and "NO" was Against Article 10.

\*Results reported later in the meeting after all voters voted.

**ARTICLE 23**

**PASSED**

**Shall the Town vote to adopt the provisions of RSA 72:28-b, All Veterans Tax Credit? If adopted, the credit will be available to any resident, or the spouse or surviving spouse of any resident, who served not less than 90 days on active service in the armed forces of the United States and was honorably discharged or an officer honorably separated from services and is not eligible for or receiving a credit under RSA 72:28 or RSA 72:35. If adopted, the credit granted will be \$500, the same amount as the standard or optional veteran's tax credit voted by the Town of Warner under RSA 72:28.(Recommended by the Board of Selectmen). (Majority vote required).**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Paul Violette provided an explanation of Article 23.

Hearing no Questions, Moderator called for a Vote on Article 23.

**Motion by Martha Mical for a paper ballot. Request not supported by 5 Voters.**

**Motion did not carry.**

Moderator called for a Vote.

**Voice Vote. Ayes in the Majority. Article 23 Passed.**

**ARTICLE 7**  
**PASSED**

**Shall the Town vote to raise and appropriate the sum of \$20,000 (Twenty Thousand Dollars) to be added to the previously established Property Revaluation Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 7-0). (Majority vote required.)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded  
Martha Mical presented an explanation for Article 7.

Hearing no questions, Moderator called for a Vote.  
**Voice Vote. Ayes in the Majority. Article 7 Passed.**

**ARTICLE 8**  
**PASSED**

**Shall the Town vote to raise and appropriate \$7,000 (Seven Thousand Dollars) to be placed in the previously established Employees Expendable Health Trust Fund? This Fund is used to partially reimburse participating town employees for deductible health expenses. (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 5-2). (Majority vote required.)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

James Bingham, Town Administrator, explained Article 8.  
Brief discussion.

Hearing no questions, Moderator called for a Vote.  
**Voice Vote. Ayes in the Majority. Article 8 Passed.**

Before proceeding, Moderator announced the voting results on Article 10: YES - 159 NO – 48 and declared Article 10 Passed.

**ARTICLE 9**  
**PASSED**

**Shall the Town vote to raise and appropriate the sum of \$25,000 (Twenty Five Thousand Dollars) to be added to the previously established Police Department Vehicle Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 7-0). (Majority vote required.)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

William Chandler, Chief of Police, spoke to Article 9.

Hearing no questions, Moderator called for a Vote.  
**Voice Vote. Ayes in the Majority. Article 9 Passed.**

**Moderator announced the Voting results for Article 5:  
YES – 270 NO – 44 Article 5 Passed.**

**Motion by Darrin Blood to Restrict Reconsideration on Articles 5, 6 and 10. Second.**  
Moderator explained Restricting Reconsideration.

Hearing no questions, Moderator called for a Vote.

**Voice Vote. Ayes in the Majority.**

**Motion to Restrict Reconsideration on Articles 5, 6 and 10 Passed.**

**Motion by James Gaffney to Move Article 25 to be heard next. Second.**

Moderator called for a Vote.

**Voice Vote. Ayes in the Majority. Motion Passed to hear Article 25 next.**

**ARTICLE 25**  
**PASSED AS AMENDED**

**AMENDED AND PASSED: To see if the Town of Warner will direct the Selectmen to develop a budget to dismantle the Odd Fellows Building if the Purchase and Sale Agreement with Nate Burrington falls through and report back this budget to the 2018 Town Meeting. In that plan, the lot is to be considered developed as a combination parking lot and green space and the plans shall be presented at a Public Hearing and shall include the salvage of the clock tower as an architectural feature and displayed on said lot.**

**ORIGINAL ARTICLE 25: To see if the Town of Warner will direct the selectmen to develop and implement a plan to dismantle the Odd Fellows Building in 2018. The lot would be developed as a combination parking lot and green space. The plan should also include the salvage of the clock tower as an architectural feature to display on said lot. (Submitted by Petition)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Rebecca Courser, who submitted the petition, asked the Selectmen to address the pending Agreement before she offered an amendment to Article 25, referencing the Thursday, March 9, 2017 Public Hearing.

Selectman John Dabuliewicz responded by saying the Board of Selectmen Passed a Motion to Approve the sale of the OFB to Nate Burrington provided they can reach a mutually acceptable Purchase and Sale Agreement.

**Motion by Ms. Courser to Amend Article 25:**

**To see if the Town of Warner will direct the Selectmen to develop a budget to dismantle the Odd Fellows Building if the Purchase and Sale Agreement with Nate Burrington falls through and report back this budget to the 2018 Town Meeting. In that plan, the lot is to be considered developed as a combination parking lot and green space and the plans shall include the salvage of the clock tower as an architectural feature and displayed on said lot.**

**Second.**

Point of Order by James Gaffney: When can an Amendment to the Amendment be made?

Moderator answered that the discussion was on the proposed Amendment. He stated he would allow Ms. Courser to speak to her Amendment and then open the floor for discussion.

Ms. Courser explained her motion stating it is important to have a plan in place in the event the parties can not come to a mutual agreement.

**Motion by James Gaffney offered to Rebecca Courser to reword her Amendment:**

**Eliminate the specificity of buyer and give the Selectmen a period of time, January 1, 2018 as an example, to complete a sale and if they are unable to complete a sale to some buyer, they shall come to the 2018 Town Meeting with a plan to demolish the building.**

**Second.**

Moderator read the Amendment with Mr. Gaffney's Motion: To strike "*Nate Burrington*" and replace with "*a sale of the building prior to January 1, 2018*":

**To see if the Town of Warner will direct the Selectmen to develop a budget to dismantle the Odd Fellows Building if the Purchase and Sale Agreement with *a sale of the building prior to January 1, 2018* falls through and report back this budget to the 2018 Town Meeting. In that plan, the lot is to be considered developed as a combination parking lot and green space and the plans shall include the salvage of the clock tower as an architectural feature and displayed on said lot.**

Ms. Courser asked for clarification: Is Mr. Gaffney's Amendment giving the Selectmen a chance to find another buyer before January 1, 2018 if the pending sale with Mr. Burrington falls through?

Mr. Gaffney agreed.

Moderator asked Ms. Courser if she would accept Mr. Gaffney's Motion as a change to her Amendment. Ms. Courser answered, "No."

Moderator ruled and discussion followed on the Amendment by Mr. Gaffney.

**Motion made to Move the Question. Voice Vote. Ayes in the Majority. Motion Passed.**

**Moderator read the Amendment:**

**To allow the Selectmen to proceed with a Purchase and Sale Agreement to be completed by January 1, 2018 at the latest and if not completed then the Selectmen will come up with and present a plan to demolish the building at the March 2018 Town Meeting.**

**Voice Vote taken. Majority Against.  
Amendment to Article 25 Failed.**

**Moderator read the first Amendment:**

**To see if the Town of Warner will direct the Selectmen to develop a budget to dismantle the Odd Fellows Building if the Purchase and Sale Agreement with *Nate Burrington* falls through and report back this budget to the 2018 Town Meeting. In that plan, the lot is to be considered developed as a combination parking lot and green space and the plans shall include the salvage of the clock tower as an architectural feature and displayed on said lot.**

Discussion followed.

**Motion made to Move the Question on the Amendment.**

**Voice Vote. Ayes in the Majority. Motion Passed to Move the Question on the Amendment.**

**Moderator read the Amendment:**

**To see if the Town of Warner will direct the Selectmen to develop a budget to dismantle the Odd Fellows Building if the Purchase and Sale Agreement with Nate Burrington falls through and report back this budget to the 2018 Town Meeting. In that plan, the lot is to be considered developed as a combination parking lot and green space and the plans shall include the salvage of the clock tower as an architectural feature and displayed on said lot.**

**Voice Vote taken. Ayes in the Majority.**

**Amendment to Article 25 Passed.**

John Leavitt asked what the recommendation of the Planning Board and the Conservation Commission were on the sale of the OFB. Moderator said Article 25 was submitted by petition. Mr. Leavitt said his question was to the Selectmen regarding the procedure necessary before selling Town property.

Point of Order by Andrew Bodnarik Mr. Leavitt's question was "irrelevant", the Amendment addressed what will happen if the Purchase and Sale "Fails", therefore what happened with Planning Board or Conservation Commission does not matter.

Ms. Chamberlain asked to make an Amendment to the Amendment.

Mr. Leavitt asked the Moderator if he was being ruled "Out of Order".

Moderator answered, "Yes" because the Amendment does not include if the Planning Board and Conservation Commissions have or have not approved the plan for selling the OFB.

Mr. Leavitt said his contention was that the Selectmen do not currently have the right to sell the property and that would void Article 25 and the amendments.

Selectman Dabuliewicz said the Conservation Commission "do not have a problem" with the plan and there was no recommendation from the Planning Board because there was a tie vote on a Motion to Approve the Sale, 3-3. He said statute requires a "recommendation" not an "Approval" therefore the Planning Board made no recommendation.

Mr. Leavitt said the Planning Board minutes said information provided to the Board was lacking enough that they could not make a decision "For" or "Against" so decided not to make a recommendation pending more information.

Selectman Dabuliewicz said 3 members voted to "Recommend" and 3 members voted "Not to Recommend" and what Mr. Leavitt was saying was not correct.

Mr. Leavitt said the statute requires that the Town "must get" a recommendation from the Planning Board and Conservation Commission. Selectman Dabuliewicz said the Planning Board decided to "Not" make a Recommendation and disagreed with Mr. Leavitt's interpretation.

Mr. Leavitt said he also believed the Selectmen did not have the Conservation Commission recommendation before the Public Hearing was held. He read RSA 41:14-a: ".....*After the Selectmen receive the recommendation of the Planning Board and the Conservation Commission, where a Board or Commission or both exist, they shall hold two public hearings....*"

Moderator stated he is not a lawyer but would rule that the Selectmen received a “non recommendation, not up or down” from the Planning Board and that constitutes a “Recommendation.”

**Motion by Alice Chamberlain: In the last sentence insert after “...and the plans” the words, “shall be presented at a Public Hearing.” Second.**

Ms. Chamberlain said the present wording does not allow public input.

Selectman Carson said he believed the Selectmen would have a Public Hearing and he was in favor of the Amendment.

Hearing no further discussion,

**Moderator read the Amendment to the Amendment:**

**To see if the Town of Warner will direct the Selectmen to develop a budget to dismantle the Odd Fellows Building if the Purchase and Sale Agreement with Nate Burrington falls through and report back this budget to the 2018 Town Meeting. In that plan, the lot is to be considered developed as a combination parking lot and green space and the plans shall be presented at a Public Hearing and shall include the salvage of the clock tower as an architectural feature and displayed on said lot.**

**Voice Vote taken. All in Favor.**

**Amendment to the Amendment to Article 25 Passed.**

Selectman Brown asked voters to instruct the Selectmen to sell the building and get it back on the tax rolls.

Moderator reminded voters the Article asks Selectmen to present a “Plan” at the next Town Meeting and the OFB will not be demolished before then.

Discussion followed.

Selectman Dabuliewicz said he did not feel the Article restricted the Board from pursuing another buyer however, he did not believe the Board would “look” for another buyer nor would they turn one away if one “came through the door.”

Discussion followed.

**Motion made to Move the Question on the Amended Amendment to Article 25. Second.**

**Voice Vote to Move the Question on the Amended Amendment to Article 25. All in Favor. Motion Passed.**

**Moderator read the Amended Amendment to Article 25:**

**To see if the Town of Warner will direct the Selectmen to develop a budget to dismantle the Odd Fellows Building if the Purchase and Sale Agreement with Nate Burrington falls through and report back this budget to the 2018 Town Meeting. In that plan, the lot is to be considered developed as a combination parking lot and green space and the plans shall be presented at a Public Hearing and shall include the salvage of the clock tower as an architectural feature and displayed on said lot.**

**Voice Vote. Moderator in doubt of the Majority.**

**Moderator Asked for a Vote by Raising of Paper Ballot.**

**Amended Amendment to Article 25 Passed. YES – 92 NO – 29**

**Moderator called for a Vote on Article 25 as Amended:**

**To see if the Town of Warner will direct the Selectmen to develop a budget to dismantle the Odd Fellows Building if the Purchase and Sale Agreement with Nate Burrington falls through and report back this budget to the 2018 Town Meeting. In that plan, the lot is to be considered developed as a combination parking lot and green space and the plans shall be presented at a Public Hearing and shall include the salvage of the clock tower as an architectural feature and displayed on said lot.**

**Voice Vote. Ayes in the Majority.**

**Article 25 as Amended Passed.**

Selectman Brown questioned the voice vote results.

Moderator asked if there was a Challenge. Several voices responded, “Yes”.

Point of Order by Martha Mical: Could there be a paper ballot to verify the results.

Moderator said he would rule on a Voice Vote first.

**Moderator called for a Vote.**

**Voice Vote to Move Forward with a Challenge to the Moderators Results of the Voice Vote on Article 25 as Amended.**

**Majority in the Negative. Support for a Challenge Failed.**

#### **ARTICLE 11**

#### **PASSED**

**Shall the Town vote to raise and appropriate the sum of \$90,000 (Ninety Thousand Dollars) to be added to the previously established Fire and Rescue Vehicle Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 7-0). (Majority vote required.)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Presented by Edward Raymond, Warner Fire Chief.

Discussion followed.

Hearing no further questions, Moderator called for a Vote.

**Voice Vote. Ayes in the Majority. Article 11 Passed.**

#### **ARTICLE 12**

#### **PASSED**

**Shall the town vote to establish a Firefighter Equipment Capital Reserve Fund under the provisions of RSA 35:1 for the purchase of firefighter equipment and gear, and to raise and appropriate the sum of \$10,000 to be placed in this fund. Further, to name the Board of Selectmen as agents to expend from said fund. (Recommended by the Board of Selectmen; Recommended by the Budget Committee 5-2). (Majority Vote Required).**

Moderator read the Article. Motion made to Move the Article. Motion Seconded.

Presented by Edward Raymond, Warner Fire Chief. He said: years ago a Capital Reserve Fund (CRF) was created for the purchase of equipment for the Fire Department, in addition to money in the Fire Department Operating Budget, in 2016 a \$138,000 Grant was received to replace all 20 SEA packs - and \$24,400 from the CRF will replace a 15 year old Defibrillator.

Edward Mical said wording in Article 12 is to “create a Capital Reserve Fund”, Chief Raymond talked about a Capital Reserve Fund created a few years ago and there is a CRF listed in the 2016 Town Report with a balance of \$40,000 (Fire Dept Equipment, pg 60) He asked if that amount was available. Chief Raymond replied that it was his understanding that the funds from that CRF were available.

James Bingham, Town Administrator, said the Town was “officially establishing the funds we already have” because when he submitted Article 12 to the Department of Revenue Administration (DRA) for review they contacted him to say they had no record of a Town Vote to establish a Fire Equipment Capital Reserve Fund. He said his research showed that the Fire Equipment CRF was a “fund carried over” from when the Fire Department was part of the Water Village Precinct. He said because of a mix up of names - the Trustees of the Trust Funds used one name for the fund and the Town had established a Vehicle Rescue CRF with another name - therefore there was no record of a CRF established for Firefighter Equipment. He said this is a “housekeeping” step to provide a record for DRA that a Firefighter Equipment CRF was established at a Town Meeting. Mr. Bingham added that he contacted the Trustees of the Trust Funds, they have submitted paperwork to transfer funds and change the name from “Fire Equipment CRF” to “Firefighter Equipment CRF”.

Chief Raymond said he did not need to ask for an increase to the \$10,000 as he originally thought, he was not aware of the \$40,000 in the Fire Dept Equipment CRF at the time that he presented his department budget requests and he confirmed the cost to replace the defibrillator was less than anticipated therefore the funds available will be sufficient.

Hearing no further questions, Moderator called for a Vote.

**Voice Vote. All in Favor. Article 12 Passed.**

**Motion made by Rebecca Courser to Restrict Reconsideration on Articles: 7, 8, 9, 11, 12, 23 and 25. Second.**

Moderator called for a Vote.

**Voice Vote. All in Favor.**

**Motion Passed to Restrict Reconsideration on Articles 7, 8, 9, 11, 12, 23, and 25.**

**Moderator suggested combing the vote on Articles 13, 14 and 15.**

He said the Articles requested funds annually at Town Meeting for already established Capital Reserve Funds for the Highway Department and voters may discuss any Article individually.

**This was Moved and Seconded.**

**Voice Vote. All in Favor to Combine Article 13, 14 and 15.**

**ARTICLE 13**

**PASSED**

**Shall the Town vote to raise and appropriate the sum of \$100,000 (One Hundred Thousand Dollars) to be added to the previously established Highway Road Construction Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 6-1). (Majority vote required.)**

**ARTICLE 14**

**PASSED**

**Shall the Town vote to raise and appropriate the sum of \$100,000 (One Hundred Thousand Dollars) to be added to the previously established Highway Equipment Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 7-0). (Majority vote required.)**

**ARTICLE 15**

**PASSED**

**Shall the Town vote to raise and appropriate the sum of \$20,000 (Twenty Thousand Dollars) to be added to the previously established Bridge Repair/Replacement Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 6-1). (Majority vote required.)**

Moderator read Articles 13, 14 and 15. Motion made to Move the Articles. Motion Seconded.

Tim Allen, Director of Public Works explained: Pumpkin Hill Road and Duck Pond Lane were planned projects, the highway vehicle fleet is aging and they are catching up to meet the replacement schedule and the Waterloo bridge and other bridges need some repair work.

Hearing no questions, Moderator called for a Vote.

**Voice Vote on Articles 13, 14 and 15. All in Favor. Articles 13, 14 and 15 Passed.**

**ARTICLE 16**

**PASSED**

**Shall the Town vote to raise and appropriate the sum of \$25,000 (Twenty Five Thousand Dollars) to be added to the previously established DPW Facilities Improvement Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 6-1). (Majority vote required.)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Selectman Brown explained Warner needed to protect its' buildings and planned to eventually install a fire suppression system at the highway garage.

Hearing no questions, Moderator called for a Vote.

**Voice Vote on Article 16. All in Favor. Article 16 Passed.**

**ARTICLE 17**  
**PASSED**

**Shall the Town vote to raise and appropriate the sum of \$10,000 (Ten Thousand Dollars) to be placed in the previously established Preservation of Town Records Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 7-0). (Majority vote required.)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Moderator explained the continuation of complying to the statutory requirement to preserve Town Records. Selectman Carson answered funds previously included in the operating budget have been subjected to being cut so in order to maintain funds a Capital Reserve Fund was created in 2016.

Martha Mical added that funds do not lapse in a Capital Reserve Fund.

Hearing no further questions, Moderator called for a Vote.

**Voice Vote on Articles 17. All in Favor. Article 17 Passed.**

**ARTICLE 18**  
**PASSED**

**Shall the Town vote to establish a contingency fund for the current year for unanticipated expenses that may arise and further to raise and appropriate \$10,000 (Ten Thousand Dollars) to be placed into the fund? This sum is to come from the Unassigned Fund Balance. Any appropriation left in the fund at the end of the year will lapse to the general fund. (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 5-2). (Majority vote required.)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Selectman Dabuliewicz answered Christine Perkins' question saying that the \$10,000 listed in the Town Report as the balance of the Contingency Fund, lapsed at the end of the 2016.

Hearing no further questions, Moderator called for a Vote.

**Voice Vote on Articles 18. All in Favor. Article 18 Passed.**

**ARTICLE 19**  
**PASSED**

**Shall the Town vote to raise and appropriate the sum of \$10,000 (Ten Thousand Dollars) to be added to the previously established Transfer Station Equipment Capital Reserve Fund? This sum is to come from the Unassigned Fund Balance and no amount needed to be raised through taxation. (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 7-0). (Majority vote required.)**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Hearing no questions, Moderator called for a Vote.

**Voice Vote on Articles 19. All in Favor. Article 19 Passed.**

**ARTICLE 20**  
**PASSED**

**Shall the Town vote to raise and appropriate the sum of \$24,000 (Twenty Four Thousand Dollars) to be placed in the previously established Library Building Renovation and Repair Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 7-0). (Majority vote required).**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Sara McNeil, Chair, Trustees of the Pillsbury Library, said the money would be used to level the Frank Maria meeting room floor, remove the drop ceiling in the staff room of the upstairs library to expose original stained glass window, install energy efficient lighting and fix the water damage to the ceiling in the original upstairs library.

Hearing no further questions, Moderator called for a Vote.  
**Voice Vote on Articles 20. All in Favor. Article 20 Passed.**

**ARTICLE 21**  
**PASSED**

**Shall the Town vote to establish a Capital Reserve Fund for the purpose of setting aside Town funds to use as “matching funds” for transportation improvement grants from state and federal agencies as well as funding repairs and improvements to town walkways, to raise and appropriate the sum of \$5,000 (Five Thousand Dollars) to be placed in this fund and furthermore, to name the Board of Selectmen as agents to expend from said fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 4-3). (Majority vote required).**

Moderator read the Article. Motion made to Move the Article. Motion Seconded

Timothy Blagden explained: Federal Funds available with a 20% town match, Transportation Alternative Funds are very competitive when available, could be used for sidewalk projects (ex: sidewalks to Market Basket area), setting up a fund shows authorities that Warner is serious and taking steps in the direction of a project.

John Leavitt, Budget Committee member, explained that his vote against recommending Article 21 was because the Town should establish a CRF for a project that is strongly supported.

Selectman Brown said CRF's are also for an unforeseen opportunity.

Kimberly Edelmann, Budget Committee Co-chair, agreed the fund should have a general name to cover any transportation related project and eliminate the need for many small specific funds.

Kristin Ingold asked if the Selectmen are directing where the funds would be used?

Selectman Carson explained when the Selectmen are named as Agents to expend, the Town is authorizing and giving the Selectmen the ability to spend the money. He said unless a public hearing is required by law, spending usually is discussed at the Selectman's Meetings, which are public meetings open to the public to attend but it means one needs to pay attention to the Selectman's meetings notices that are posted. He said the money being requested in Article 21 is “seed money” to show the Town has intentions for projects.

Discussion followed.

**Motion by Rebecca Courser to Move the Question.  
Voice Vote. All in Favor. Motion to Move the Question Passed.  
Voice Vote. All in Favor.  
Article 21 Passed.**

**ARTICLE 22**  
**PASSED**

**Shall the Town vote to raise and appropriate the sum of \$20,000 (Twenty Thousand Dollars) to assist the Warner Fall Foliage Festival Committee in paying for the cost of the site work on the new town parking area adjacent to the school? The owners have granted a permanent ROW easement to the Town to use this developed section of their property for additional parking as well as during the Fall Foliage Festival. (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 6-0, 1 Abstained). (Majority vote required).**  
Moderator read the Article. Motion made to Move the Article. Motion Seconded

Selectman Brown explained it was decided to give the Town of Warner the easement for the land and \$20,000 is a minimal amount to obtain the use of the land as improved.

Hearing no further questions, Moderator called for a Vote.  
**Voice Vote on Articles 22. All in Favor. Article 22 Passed.**

**ARTICLE 24**  
**PASSED**

**“Polling hours in the Town of Warner are now 8:00 am to 7:00 pm. Shall we place a question on the state election ballot to change polling hours so that polls shall open at 7:00 am and close at 7:00 pm. for all regular state elections beginning in 2019 (To go into effect)? (Majority vote required.)**  
Moderator read the Article. Motion made to Move the Article. Motion Seconded

Selectman Carson said in anticipation of the large crowd expected for the November 2016 election, the Selectmen opened the polls at 7 AM. He said people liked the earlier open time, the Selectmen would like to ask voters if they want to have the question to change polling hours on the ballot at the next Town Meeting.

Hearing no further questions, Moderator called for a Vote.  
**Voice Vote on Articles 24. Ayes in the Majority. Article 24 Passed.**

**ARTICLE 26**

**To transact any other business that may legally come before the meeting.**

**Motion to Adjourn.**

**Voice Vote. All in Favor.**

**Meeting Adjourned. 10:59 PM.**

Respectfully submitted,

Judith A. Newman-Rogers  
Warner Town Clerk